Mark Eckman - CVB budget

Brenda Mainwaring - Cycle 3 2022 grant awards

Brandon Garrett - Award Presentation

Jon Reis, Impact 7G, Inc Sustainable Environmental Solutions - Brownfields Assessment Grant Update

Brandy Wallar, New Visions Homeless Services - Warming Center

Review Agenda

Union Negotiation Strategy Session (Closed Session)

City Council Meeting Minutes
November 28, 2022

CALL TO ORDER

Mayor Walsh called the meeting to order at 7:00 p.m. on Monday November 28, 2022.
Council Member present: Joe Disalvo, Steve Gorman, Chad Hannan, Chris Peterson and Roger Sandau.
Staff present: Brandon Garrett, Jodi Quakenbush and Richard Wade.

CONSENT AGENDA

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

Reading, correction and approval of the November 14, 2022 City Council Meeting Minutes.

Ordinance 6530

Ordinance to amend the zoning map as adopted by reference in Section 15.27.020, and setting a Public Hearing for December 19, 2022 at 7:00 p.m., by rezoning property legally described as being part of Lots 1, 2, 3, 4, 7, 8, 9 and 10 (including the abutting vacated alley), all in Block 12, Beer's Addition along with part of Lots 1, 2, 7, 8, 9 and 10, (including the abutting vacated alley), all in Block 9, Beer's Addition, along with part of vacated First Avenue between Blocks 9 and 12, Beer's Addition, from A-2/Parks, Estates, and Agricultural District and I-1/Light Industrial District to P-I/Planned Industrial District as set forth and defined in Chapter 15.19. Location: 1104 2nd Avenue. ZC-22-007 and PI-22-001

Ordinance 6531

Ordinance to amend Chapter 15.28, Development Plan Review Procedure (Zoning Ordinance) and setting a Public Hearing for December 19, 2022 at 7:00 p.m. by amending Section 15.28.060 to provide clarity on the process for adopting a P-R/Planned Residential Development Plan. ZT-22-009

Resolution 22-295

Resolution setting a public hearing for 7:00 p.m. on December 19, 2022 for the Mid-America Center Roof Replacement Project, Phase 3. Project # BM-23-01

Resolution 22-296

Resolution setting a public hearing for December 19, 2022 at 7:00 p.m. for the FY24-FY28 Capital Improvement Program (CIP).

Resolution 22-297

Resolution authorizing transfers between funds under Iowa Code 545-2 for FY22.

Resolution 22-298

Resolution of necessity and intent and setting a Public Hearing for January 9, 2023 at 7:00 p.m. to amend the Veterans Memorial Highway Urban Revitalization Area. Location: 800 Veterans Memorial Highway. URV-22-010

City Street Financial Report

City Street Financial Report ending June 30, 2021

Boards and Commissions

Board of Water Works Trustees

Roger Sandau and Steve Gorman moved and seconded approval of Consent Agenda. Unanimous, 5-0 vote.

MAYORS PROCLAMATIONS

PUBLIC HEARINGS

Resolution 22-299

Resolution approving the plans and specifications for the Spin Lofts – 21st Avenue Improvements. Project # CD23-03A & B

Steve Gorman and Chris Peterson moved and seconded approval of Resolution 22-299. Unanimous, 5-0 vote.

Resolution 22-300

Resolution approving the Urban Revitalization Plan for the Black Squirrel Flats Urban Revitalization Area. Location: Undeveloped property located at the northwest corner of S. 34th Street and 12th Avenue. URV-22-009

Chris Peterson and Joe Disalvo moved and seconded approval of Resolution 22-300. Unanimous, 5-0 vote.

Resolution 22-301

Resolution approving the Urban Revitalization Plan for the Whispering Oaks Urban Revitalization Area. Location: the intersection of Greenview Road and Franklin Avenue. URV-22-008

Chad Hannan and Roger Sandau moved and seconded approval of Resolution 22-301, amended to remove the mention of assisted living and that assisted living is not endorsed. Unanimous, 5-0 vote.

Resolutions 22-302 and 22-303

Resolution 22-302 selecting Baxter Development, LLC as the preferred developer of City-owned property legally described as Block 1, River's Edge Subdivision, and to enter a purchase, sale, and development agreement with said developer.

Resolution 22-303 selecting Broadmoor as the preferred developer for City-owned properties legally described as Lot 2, Block 3, River's Edge Subdivision, Replat 2, Block 4, River's Edge Subdivision , and Lots 1-3, Block 5, River's Edge Subdivision, Replat 2, and to enter a purchase, sale, and development agreement with said developer.

Joe Disalvo and Steve Gorman moved and seconded approval of Resolutions 22-302 and 22-303. Unanimous, 5-0 vote.

Resolutions 22-304 through 22-310

Resolutions 22-304 through 22-310, to repeal Urban Revitalization plans and areas for; the Peterson School; Indian Creek South; Bluff Street; South 4th Street; Pine Ridge; Hawkeye Heights and Gunn School.

Chad Hannan and Joe Disalvo moved and seconded approval of Resolutions 22-304 through 22-310. Unanimous, 5-0 vote.

ORDINANCES ON 1ST READING

Ordinance 6532

Ordinance establishing the establishing the Black Squirrel Flats Urban Revitalization Area within the City of Council Bluffs. Location: Undeveloped property located at the northwest corner of S. 34th Street and 12th Avenue. URV-22-009

Roger Sandau and Chris Peterson moved and seconded approval of First consideration of Ordinance 6532. Second consideration to be held December 19, 2022 at 7:00 p.m.. Unanimous, 5-0 vote.

Ordinance 6533

Ordinance establishing the Whispering Oaks Urban Revitalization Area. Location: the intersection of Greenview Road and Franklin Avenue. URV-22-008

Steve Gorman and Chad Hannan moved and seconded approval of First consideration of Ordinance 6533. Second consideration to be held December 19, 2022 at 7:00 p.m.. Unanimous, 5-0 vote.

Ordinances 6534 though 6540

Ordinances 6534 through 6540 to repeal Urban Revitalization plans and areas for; the Peterson School; Indian Creek South; Bluff Street; South 4th Street; Pine Ridge; Hawkeye Heights and Gunn School.

Chad Hannan and Joe Disalvo moved and seconded approval of First consideration of Ordinances 6534 through 6540. Second consideration to be held December 19, 2022 at 7:00 p.m.. Unanimous, 5-0 vote.

ORDINANCES ON 3RD READING

Ordinance 6527

Ordinance to amend the zoning map as adopted by reference in section 15.27.020, by appending a PR-2 Overlay and adopting the associated development plan for three townhomes in an R-3/Multi-Family Residential District, on property legally described as Lot 12, Block 5, Cochran's Addition, as set forth and defined in Chapter 15.28. Location: Undeveloped land located immediately north of 105 S. 24th Street. PR-22-004

Chad Hannan and Joe Disalvo moved and seconded approval of Third consideration of Ordinance 6527. Ordinance passes to law.. Unanimous, 5-0 vote.

Ordinances 6528 and 6529

Ordinance 6528 to amend Chapter 15.16, C-3/Commercial District, by amending Section 15.16.060 "Additional Regulations."

Ordinance 6529 to amend Chapter 15.23, Off-Street Parking, Loading and Unloading, by amending Section 15.23.020 "General Provisions" and Section 15.23.030 "Design Standards."

Steve Gorman and Roger Sandau moved and seconded approval of Third consideration of Ordinances 6528 and 6529. Ordinances pass to law.. Unanimous, 5-0 vote.

RESOLUTIONS

Resolution 22-311

Resolution confirming the appointment of Danielle Bemis in the position of Director of Finance for the City of Council Bluffs and approving the wage and benefit package offered to her.

Steve Gorman and Chad Hannan moved and seconded approval of Resolution 22-311. Unanimous, 5-0 vote.

Resolution 22-312

Resolution authorizing the Mayor and City Clerk to execute an agreement with HGM Associates Inc for conceptual design and engineering services for 93.17 acres of vacant farm land/real estate for the creation of a new mixed use subdivision located on East Manawa Drive.

Chad Hannan and Chris Peterson moved and seconded approval of Resolution 22-312. Unanimous, 5-0 vote.

Resolution 22-313

Resolution certifying the FY2022 off-cycle Refuse collection lien schedule for nonpayment to the County Treasurer to be assessed against the owner's property.

Steve Gorman and Roger Sandau moved and seconded approval of Resolution 22-313. Unanimous, 5-0 vote.

Resolution 22-314

Resolution adopting an Administrative Approval Policy for Exterior Modifications to Locally Designated Historic Landmarks, Sites and Districts to allow staff to administratively review and approve certain exterior modifications within a locally designated historic district, landmark and/or landmark site. MIS-22-008

Steve Gorman and Joe Disalvo moved and seconded approval of Resolution 22-314. Unanimous, 5-0 vote.

Resolution 22-315

Resolution adopting a planned commercial development plan for property legally described as Lot 2, Bluffs Vision 4 Subdivision. Location: Undeveloped land lying at the southwest corner of 24th Avenue and Bass Pro Drive. PC-22-001

Chad Hannan and Chris Peterson moved and seconded approval of Resolution 22-315. Unanimous, 5-0 vote.

Resolution 22-316

Resolution authorizing the Mayor to accept and execute a contract with Civitas, LLC for professional consultant services to develop a Housing Plan and an update to the Consolidated Plan, Action Plan and Affirmatively Furthering Fair Housing for the City of Council Bluffs.

Roger Sandau and Steve Gorman moved and seconded approval of Resolution 22-316. Unanimous, 5-0 vote.

Resolution 22-317

Resolution to award contract to Dostals Construction Co Inc for the Manawa City Park Playground Upgrade, Project R23-11

Chad Hannan and Joe Disalvo moved and seconded approval of Resolution 22-317. Unanimous, 5-0 vote.

Resolution 22-318

Resolution to award contract in the amount of $225,000 to Dostals Construction Co Inc for the Peterson park Playground, Project R23-10

Chad Hannan and Joe Disalvo moved and seconded approval of Resolution 22-318. Unanimous, 5-0 vote.

Resolution 22-319

Resolution to award design and engineering contract in the amount of $98,500 to HGM Associates, Inc for the design and engineering of the Yankee Stadium Replica Field, Project R23-05 at Bahnsen Park.

Joe Disalvo and Chad Hannan moved and seconded approval of Resolution 22-319. Unanimous, 5-0 vote.

APPLICATIONS FOR PERMITS AND CANCELLATIONS

Liquor Licenses

1. Hy-Vee #2, 1745 Madison Avenue

Roger Sandau and Chris Peterson moved and seconded approval of Application for Permits and Cancellations, Liquor License Item 8A1. Unanimous, 5-0 vote.

OTHER BUSINESS

CITIZENS REQUEST TO BE HEARD

ADJOURNMENT

Mayor Walsh adjourned the meeting at 7:14 p.m.

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.:
Submitted by: Jodi Quakenbush

Approval of Agenda and tape recordings of these proceedings to be incorporated into the official minutes.
ITEM 3.A.

Council Action: 11/28/2022

Description

Background/Discussion

Recommendation

Council Communication

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

Reading, correction and approval of the November 14, 2022 City Council Meeting Minutes.
ITEM 3.B.

Council Action: 11/28/2022

Description

Background/Discussion

Recommendation

ATTACHMENTS:

Description	Type	Upload Date
11-14-22 minutes	Minutes	11/16/2022

City Council Meeting Minutes
November 14, 2022

CALL TO ORDER

Mayor Walsh called the meeting to order on November 14, 2022 at 7:00 p.m.
Council Members present: Joe Disalvo, Steve Gorman, Chris Peterson and Roger Sandau.
Council Member absent: Chad Hannan
Staff present: Brandon Garrett, Jodi Quakenbush and Richard Wade.

CONSENT AGENDA

Approval of Agenda and tape recordings of these proceedings to be incorporated into the official minutes.
Reading, correction and approval of the October 24, 2022 City Council Meeting Minutes.
Resolution 22-270

Resolution accepting the work of RPL Utility LLC as complete and authorizing the release of retainage after 30 days if no claims are filed in connection with the West Broadway Reconstruction, Segment 5. Project # PW21-20

Resolution 22-271

Resolution setting a public hearing for 7:00 p.m. on November 28, 2022, on the plans, specifications, form of contract, and cost estimate for the Spin Lofts – 21st Avenue Improvements. Project # CD23-03A & B

August 2022 Financial Reports
Claims

Roger Sandau and Steve Gorman moved and seconded approval of Consent Agenda. Unanimous, 4-0 vote. (Absent: Hannan)

MAYORS PROCLAMATIONS

A. Small Business Saturday Proclamation

PUBLIC HEARINGS

Ordinance 6527

Ordinance to amend the zoning map as adopted by reference in section 15.27.020, by appending a PR-2 Overlay and adopting the associated development plan for three townhomes in an R-3/Multi-Family Residential District, on property legally described as Lot 12, Block 5, Cochran's Addition, as set forth and defined in Chapter 15.28. Location: Undeveloped land located immediately north of 105 S. 24th Street. PR-22-004

Heard from Lynn Dittmer, 712 Initiative, 1228 South Main Street
Steve Gorman and Chris Peterson moved and seconded approval of Second consideration of Ordinance 6527. Third consideration to be heard November 28, 2022 at 7:00 p.m.. Unanimous, 4-0 vote. (Absent: Hannan)

Ordinances 6528 and 6529

Amending the following sections of Title 15: Zoning of the Municipal Code

Ordinance 6528 to amend Chapter 15.16, C-3/Commercial District, by amending Section 15.16.060 "Additional Regulations."

Ordinance 6529 to amend Chapter 15.23, Off-Street Parking, Loading and Unloading, by amending Section 15.23.020 "General Provisions" and Section 15.23.030 "Design Standards."

Steve Gorman and Joe Disalvo moved and seconded approval of Second consideration of Ordinances 6528 and 6529. Third consideration to be heard November 28, 2022 at 7:00 p.m.. Unanimous, 4-0 vote. (Absent: Hannan)

Resolution 22-272

Resolution approving the plans and specifications for the South Expressway Reconstruction, Phase I. Project # PW22-17

Chris Peterson and Joe Disalvo moved and seconded approval of Resolution 22-272. Unanimous, 4-0 vote. (Absent: Hannan)

Resolution 22-273

Resolution to dispose of certain property interest on City-owned property legally described as being the west 15 feet of Lots 6 through 8, Block 14, Ferry Addition, by granting a 15 foot wide easement for the benefit of Council Bluffs Water Works. Location: Northeast corner of the intersection of S. 35th St. and 1st Ave. MIS-22-006

Steve Gorman and Roger Sandau moved and seconded approval of Resolution 22-273. Unanimous, 4-0 vote. (Absent: Hannan)

Resolution 22-274

Resolution granting final plat approval of a three-lot residential minor subdivision to be known as The Row on 1st Subdivision, legally described as being a replat of Lot 12, Block 5, Cochran's Addition, and approval of the requested variance for lot size. Location: Undeveloped land located immediately north of 105 S. 24th Street. SUB-22-012

Chris Peterson and Joe Disalvo moved and seconded approval of Resolution 22-274. Unanimous, 4-0 vote. (Absent: Hannan)

Resolution 22-275

Resolution approving the plans, specifications, form of contract, and cost estimate for Mid-America Center Ballroom and Pre-Function Lighting. #BM-23-03

Joe Disalvo and Chris Peterson moved and seconded approval of Resolution 22-275. Unanimous, 4-0 vote. (Absent: Hannan)

Resolution 22-276

Resolution granting final plat approval of a 30-lot residential subdivision to be known as Hills of Cedar Creek Central Phase 1, legally described as being a portion of the NW 1/4 SE 1/4 and the NE 1/4 SE 1/4 of Section 34-75-43. Location: Undeveloped land lying northwest of the intersection of Eastern Hills Drive and Deveron Drive. SUB-22-013

Roger Sandau and Joe Disalvo moved and seconded approval of Resolution 22-276. Unanimous, 4-0 vote. (Absent: Hannan)

Resolution 22-277

Resolution granting final plat approval of a two-lot minor industrial subdivision to be known as River Road Subdivision, Replat 1, legally described as being a replat of Lot 1, River Road Subdivision, along with a subdivision variance to allow proposed Lot 2, River Road Subdivision, Replat 1 to exceed the maximum 3:1 lot depth-to-width ratio. Location: Land lying north of property addressed as 2849 River Road. SUB-22-014

Steve Gorman and Joe Disalvo moved and seconded approval of Resolution 22-277. Unanimous, 4-0 vote. (Absent: Hannan)

Resolution 22-278

Resolution to continue the November 14, 2022 Public Hearing to November 28, 2022 for selecting a firm(s) to purchase and develop city-owned properties in the Playland Park (River's Edge) Neighborhood, legally described as being Block 1, River's Edge Subdivision, Lot 2, Block 3, River's Edge Subdivision, Replat 2, Block 4, River's Edge Subdivision, and Lots 1 through 3, Block 5, River's Edge Subdivision, Replat 2.

Roger Sandau and Joe Disalvo moved and seconded approval of Resolution 22-278. Unanimous, 4-0 vote. (Absent: Hannan)

RESOLUTIONS

Resolution 22-269 (Continued from 10-24-22)

Resolution authorizing ongoing financial support to PACE (Pottawattamie Arts Culture Entertainment) from the Hotel/Motel Tax revenue received by the City of Council Bluffs.

Joe Disalvo and Chris Peterson moved and seconded approval of Resolution 22-269, as amended to add matrix and specific goal to obtain. Voice Vote, 2-2 vote. (Nays: Gorman, Sandau) (Absent: Hannan)

Roger Sandau and Chris Peterson moved and seconded approval of Resolution 22-269. Voice Vote, 2-2 vote. (Nays: Gorman, Sandau) (Absent: Hannan)

Resolution 22-279

Resolution authorizing the Mayor to execute a Fine Arts Loan Agreement with Pottawattamie Arts, Culture and Entertainment (PACE) specifically for a Grant Wood painting entitled "Early Days of Kanesville".

Joe Disalvo and Steve Gorman moved and seconded approval of Resolution 22-279. Unanimous, 4-0 vote. (Absent: Hannan)

Resolution 22-280

Resolution officially designating the City Council meeting dates for the City of Council Bluffs during the 2023 calendar year.

Roger Sandau and Chris Peterson moved and seconded approval of Resolution 22-280. Unanimous, 4-0 vote. (Absent: Hannan)

Resolution 22-281

Resolution accepting the bid of Hydro-Klean, LLC, in the amount of $275,183.00 for the Inspection of Levee Drainage Structures project. Project # PW23-28

Steve Gorman and Chris Peterson moved and seconded approval of Resolution 22-281. Unanimous, 4-0 vote. (Absent: Hannan)

Resolution 22-282

Resolution authorizing and directing the Mayor to execute the Second Amendment To Declaration Of Restrictions and Grant Of Easements for Lots 1-8 of The Bluffs Vision Subdivision.

Roger Sandau and Joe Disalvo moved and seconded approval of Resolution 22-282. Unanimous, 4-0 vote. (Absent: Hannan)

Resolutions 22-283, 22-284, 22-285 and 22-286

Resolutions 22-283, 22-284, 22-285 and 22-286 authorizing Interfund Loan approval for FY24 TIF Certifications.

Steve Gorman and Chris Peterson moved and seconded approval of Resolutions 22-283, 22-284, 22-285 and 22-286. Unanimous, 4-0 vote. (Absent: Hannan)

Resolution 22-287

Resolution authorizing for annual certification for Tax Increment Financing Indebtedness.

Joe Disalvo and Steve Gorman moved and seconded approval of Resolution 22-287. Unanimous, 4-0 vote. (Absent: Hannan)

Resolution 22-288

Resolution approving Policy 505-Vacation

Steve Gorman and Chris Peterson moved and seconded approval of Resolution 22-288. Unanimous, 4-0 vote. (Absent: Hannan)

Resolution 22-289

Resolution authorizing the use of eminent domain for Steven Road West. Project #PW22-16

Steve Gorman and Roger Sandau moved and seconded approval of Resolution 22-289. Unanimous, 4-0 vote. (Absent: Hannan)

Resolution 22-290

Resolution authorizing a joint application to the Iowa Economic Development Authority by the City of Council Bluffs and IceCap Cold Storage for benefits under the Targeted Jobs Withholding Tax Credit Program.

Joe Disalvo and Chris Peterson moved and seconded approval of Resolution 22-290. Unanimous, 4-0 vote. (Absent: Hannan)

Resolution 22-291

Resolution authorizing the Mayor and City Clerk to execute Iowa Department of Transportation Agreement No. 2023-16-036 in connection with the South Expressway Reconstruction Phase 1. Project #PW22-17

Joe Disalvo and Steve Gorman moved and seconded approval of Resolution 22-291. Unanimous, 4-0 vote. (Absent: Hannan)

Resolution 22-292

Resolution to extend the deadline for Yoder Construction, Inc. to complete the proposed home on property formerly owned by the City and legally described as Lot 5 and the West 1/2 of the vacated north/south alley adjacent, Wells Park Addition. Location: 441 Park Avenue. OTB-19-010

Roger Sandau and Joe Disalvo moved and seconded approval of Resolution 22-292, as amended to change administrative approval to 3 months. Unanimous, 4-0 vote. (Absent: Hannan)

Resolution 22-293

Resolution approving the Annual Urban Renewal Report for Fiscal Year 2021-2022.

Roger Sandau and Chris Peterson moved and seconded approval of Resolution 22-293. Unanimous, 4-0 vote. (Absent: Hannan)

Resolution 22-294

Resolution authorizing and directing the Mayor to execute a Purchase Agreement between Council Bluffs Industrial Foundation, Inc. ("Seller") and City of Council Bluffs, Iowa ("Buyer") for property located on Gifford Road immediately adjacent to the Council Bluffs Recycling Center.

Chris Peterson and Joe Disalvo moved and seconded approval of Resolution 22-294. Unanimous, 4-0 vote. (Absent: Hannan)

APPLICATIONS FOR PERMITS AND CANCELLATIONS

Liquor Licenses: 1) Bertha's, 1322 N 16th Street; 2) Casey's #6116, 15 N 16th Street (NEW); 3) Casey's #6117, 1759 Madison Avenue (NEW); 4) Casey's #6122, 3434 Nebraska Avenue (NEW); 5) Casey's #6127, 2711 S 24th Street (NEW); 6) Casey's #6134, 3501 W Broadway (NEW); 7) Council Bluffs Sinclair, 1305 N 25th Street; 8) Oskies for Sports, 1851 Madison Avenue, Ste 724 and
Cigarette Permits

Roger Sandau and Joe Disalvo moved and seconded approval of Applications for permits and cancellations, Items 7A 1-8 and 7B. Unanimous, 4-0 vote. (Absent: Hannan)

CITIZENS REQUEST TO BE HEARD

Heard from Jason Protiva, 10703 North 72nd Street
Motion by Sandau, seconded by Disalvo to Receive and File, 4-0 Unanimous.
Heard from Stan Gregory, 19255 Grand Avenue

ADJOURNMENT

Mayor Walsh adjourned the meeting at 7:46 p.m.

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: Community Development
Case/Project No.: ZC-22-007
Submitted by: Christopher Gibbons, Planning Manager

Ordinance 6530
ITEM 3.C.

Council Action: 11/28/2022

Description

Ordinance to amend the zoning map as adopted by reference in Section 15.27.020, and setting a Public Hearing for December 19, 2022 at 7:00 p.m., by rezoning property legally described as being part of Lots 1, 2, 3, 4, 7, 8, 9 and 10 (including the abutting vacated alley), all in Block 12, Beer's Addition along with part of Lots 1, 2, 7, 8, 9 and 10, (including the abutting vacated alley), all in Block 9, Beer's Addition, along with part of vacated First Avenue between Blocks 9 and 12, Beer's Addition, from A-2/Parks, Estates, and Agricultural District and I-1/Light Industrial District to P-I/Planned Industrial District as set forth and defined in Chapter 15.19. Location: 1104 2nd Avenue. ZC-22-007 and PI-22-001

Background/Discussion

See attached staff report.

Recommendation

ATTACHMENTS:

Description	Type	Upload Date
Staff Report	Staff Report	11/18/2022
Attachment A: Location/Zoning Map	Map	11/18/2022
Attachment B: Proposed Development Plan	Other	11/18/2022
Public Hearing Notice	Notice	11/18/2022
Ordinance 6530	Ordinance	11/22/2022

City Council Communication

Department: Community Development CASES #ZC-22-007 and #PI-22-001 Applicant/Owner: B&D Land and Development LLC 1104 2nd Avenue Council Bluffs, IA 51501 Representative: 7910 N. 124th Street Omaha, NE 68142	Resolution No. _____ Ordinance No. _____	**CASE #ZC-22-007** 1st Consideration: 11/28/2022 2nd Consideration: 12/19/2022 3rd Consideration: Request to be waived **CASE #PI-22-001:** 12/19/2022 Planning Commission: 11/8/2022

Subject/Title

Request: Combined public hearings on the request of B&D Land and Development Company, LLC, represented by Bob Decker, to rezone property legally described as being part of Lots 1, 2, 3, 4, 7, 8, 9 and 10 (including the abutting vacated alley), all in Block 12, Beer's Addition along with part of Lots 1, 2, 7, 8, 9 and 10, (including the abutting vacated alley), all in Block 9, Beer's Addition, along with part of vacated First Avenue between Blocks 9 and 12, Beer's Addition, City of Council Bluffs, Pottawattamie County, Iowa, from A-2 Parks, Estates, and Agricultural District and I-1/Light Industrial District to P-I/Planned Industrial District; and to adopt a P-I/Planned Industrial development plan for said property legally described above and being more particularly described in the associated case file.

Location: 1104 2nd Avenue

Background/Discussion

The Community Development Department has received applications from B&D Land and Development Company, LLC, represented by Bob Decker, for the following requests:

1. CASE #ZC-22-007: Rezone the existing Decker Plastics plant site, as legally described above from A-2/Parks, Estates, and Agricultural District and I-1/Light Industrial District to P-I/Planned Industrial District; and
2. CASE #PI-22-001: Adopt a P-I/Planned Industrial development plan for property legally described above.

The applicant is the owner of Decker Plastics at 1104 2nd Avenue and they have proposed to build a new 10,200 square foot building addition onto the westerly side of their existing plant facility in order to increase production of their food packaging products. Part of the expansion includes a new 65 foot-tall building section, which exceeds the maximum 50 feet allowed in an I-1/Light Industrial District. Additionally, the proposed expansion requires the applicant to bring all existing off-street parking and associated open space for the plant site into conformance with current City zoning standards. The purpose of the rezoning and the proposed P-I/Planned Industrial development plan is to allow the applicant to adopt customized site development standards for off-street parking, building setbacks/heights, lot structure coverage, open space, landscaping, architecture, storm water management, and signage that are appropriate for their plant site.

CASE #ZC-22-007

The subject property is comprised of 2.2 acres of land (more/less) and is zoned I-1/Light Industrial District and A-2/Parks, Estates, and Agricultural District (see Attachment A). Surrounding zoning within the general vicinity of the subject property includes A-2 District to the north, A-2 District and I-1 District to the east,

R-3/Low Density Multi-Family Residential District to the south, and I-1 District to west. Existing land uses within the general vicinity includes the West Broadway viaduct, undeveloped land, residential dwellings, warehousing/manufacturing, railroad tracks, and a restaurant. The future land use plan of the Bluffs Tomorrow: 2030 Plan (comprehensive plan) designates the subject property as Light Industrial.

On December 17, 2019, the Council Bluffs Zoning Board of Adjustment approved the following variances (see Case #BA-19-009) to allow Decker Plastics to expand their production and storage capacity on the subject property:

- Variance 1: A seven foot street-side yard setback variance to allow an accessory warehouse building to be constructed eight feet from a street-side property line, as opposed to, the required 15 feet in an I-1/Light Industrial District

- Variance 2: A 17-foot front yard setback variance to allow a building addition to be constructed eight feet from a front property line, as opposed to, the required 25 feet in an I-1/Light Industrial District.

Both variances were granted by the ZBA on the basis that the property experiences unnecessary hardships due its unique shape and inability to expand because of surrounding railroad and street right-of-ways. Both variances run with the land and are included in the proposed P-I/Planned Industrial development plan.

All property owners within 200 feet of the subject property were notified of the proposed rezoning and P-I/Planned Industrial development plan. One letter to the Iowa State Highway Commission was returned as undeliverable. No other responses were received.

CASE #PI-21-001

Section 15.28.010, *State of Intent, P-I/Planned Industrial District*, of the Council Bluffs Municipal Code (Zoning Ordinance) states that "*the P-I district is intended to provide for the development of assemblage facilities, manufacturing facilities, research and development activities, business services, storage, and distribution centers in an industrial park setting. The facilities in the planned industrial district are designed to be used in common by sharing ingress and egress roads, ensuring appropriate design with respect to traffic arteries and compatibility with surrounding uses. Business and industrial activities shall be primarily enclosed operations with significant screening and landscaping of exterior operations and storage. Final authority over development plans shall be retained by the City Council, with extensive review by Planning Commission*." The applicant proposes to adopt a planned industrial development plan for the subject property in order to address existing non-conforming site conditions and to establish development standards that are appropriate for the plant site's operation and are compatible with the surrounding area.

All City Departments and local utility providers were notified of the proposed development request. All comments received from City Departments and local utilities are incorporated into the development discussion below.

Site Development and Operational Standards

1. The subject property is bounded by 2nd Avenue to the south, South 11th Street to the east, the West Broadway Viaduct to the north, and the Union Pacific Railroad to the west. For zoning purposes, the property line abutting 2nd Avenue shall be considered the front; the property line abutting South 11th Street shall be considered a street side; the property line abutting the Union Pacific Railroad shall be considered an interior side; and the property line abutting the West Broadway Viaduct shall be considered the rear. The following minimum setbacks shall apply to each respective yard on the subject property:
    - Front Yard – 8 feet *(Note: The submitted site plan shows the southwest corner of the existing 2-story office building having a one foot setback. This portion of the building shall be allowed to maintain its existing one-foot setback. If this portion of the building is ever destroyed by 50%*

or more of its replacement cost, the replacement structure shall be built to comply with the minimum eight foot front yard setback variance that was granted for the property by the Zoning Board of Adjustment as part of Case #BA-19-009).

- Street Side Yard – 8 feet
- Interior Side – 10 feet
- Rear – 10 feet

2. The maximum height for all structures, except the tower structure on the proposed new extrusion building addition, shall not exceed 50 feet, as measured from finished grade to the peak of the roof. The maximum height for the tower on the proposed new extrusion building addition shall not exceed a maximum height of 70 feet, as measured from finished grade to the peak of the roof. Additionally, due to the high visibility of said tower structure from adjacent rights-of way and surrounding properties, the most visible public facing facades of said tower shall be designed to include a decorative art and/or architectural feature to help conceal the mass and view of the tower structure. The proposed building elevations show a decorative "Sunrise/Sunset" steel graphic on the east and north elevations. City staff recommends that art be placed on the easterly and westerly façades, as these facades are most visible from Downtown Council Bluffs and the First Avenue Trail, and then place signage on the north and south facades. City staff and the applicant will continue discussions on the most appropriate placement for said art on the tower structure. All art and/or decorative architectural features on the tower shall be installed prior to issuance of a final Certificate of Occupancy for the new extrusion building addition.
3. The maximum lot coverage for all structures shall be sixty (60) percent of the total lot area.
4. All visible trash receptacles/dumpsters shall be enclosed on three sides with a masonry, wood, or vinyl fence and have a lockable gate that when closed completely eliminates view of the dumpster.
5. The submitted site plan does not show any outdoor storage areas. Outdoor storage of materials, products, equipment, or packaging shall not be permitted on-site. This includes the temporary and/or permanent placement of inter-modal storage containers
6. Outdoor lighting plans were not submitted with the development plan proposal. Any new outdoor light poles shall be constructed out of painted or finished aluminum or steel. Wood poles shall not be accepted. All outdoor lighting shall comply with standards stated in Section 15.24.050, *Lighting Controls*, of the Council Bluffs Municipal Code (Zoning Ordinance). The maximum height of any light pole shall not exceed 30 feet from finished grade.
7. All noise associated with the plant site shall conform to the requirements of Section 4.50, *Noise Control*, of the Council Bluffs Municipal Code.
8. Any installation of solar energy conversion system(s) on the subject property shall be in accordance with the standards in Chapter 15.34, *Renewable Energy*, of the Council Bluffs Municipal Code (Zoning Ordinance).
9. The site contains an existing perimeter chain-link fence. The section of the fence along the easterly property line appears to be located within South 11th Street right-of-way. The applicant shall work with the Council Bluffs Public Works Department to obtain a license to occupy or a lease for said fence to remain in South 11th Street right-of-way. No barb-wire and/or electric security fencing shall be installed along any areas of the property that abut 2nd Avenue or South 11th Street right-of-way. All fencing on the property shall comply with the standards stated in Section 15.24.040, *Required Fencing*, of the Council Bluffs Municipal Code (Zoning Ordinance).
10. All site development shall comply with City stormwater management standards.
11. The Council Bluffs Fire Department stated the proposed extrusion building addition will require the entire Decker Plastics facility to be fire sprinkled and alarmed. The applicant's building plans for said building addition shall address this requirement and shall conform to all applicable Fire code standards.

Utilities

1. The subject property has access to public water, sanitary sewer, storm sewers, electricity, gas, and telecommunication utilities. All on-site utilities shall be installed underground. Any cost to remove, relocate, modify, and/or extend utilities to this site or on-site shall be at the sole cost of the applicant and not the City.

Off-Street Parking

1. The required number of off-street parking spaces for the subject property shall be based on the standards stated in Section 15.23.060, *Parking spaces required*, of the Council Bluffs Municipal Code (Zoning Ordinance), as follows:
    - Office or administrative activity – 1 space per 300 square feet of gross floor area
    - Manufacturing space – 1 space per 1,000 square feet of gross floor area
    - Indoor or outdoor storage or warehousing – 1 space per 5,000 square feet of gross floor area

   The submitted development plan states there is a total of 2,130 square feet of office space (7 required parking spaces), 22,056 square feet of manufacturing/factory space (22 required parking spaces), and 13,970 square feet of warehouse space (3 required parking spaces) on-site. A total of 32 parking spaces are required for said stated land uses and associated building square footages.
2. All parking/loading areas, driveways, and drive aisles shall be hard-surfaced paved and shall be designed to comply with the standards stated in Chapter 15.23, *Off-Street Parking, Loading and Unloading*, of the Council Bluffs Municipal Code (Zoning Ordinance). All parking spaces, drive aisles and loading areas that are currently unpaved are required to be hard-surfaced paved as part of the new building extrusion addition project. A parking lot permit is required to be obtained from the City of Council Bluffs for all parking lot and truck loading areas that will be paved.
3. All off-street parking areas shall comply with Chapter 661-18, *Parking for Persons with Disabilities*, of the Iowa Administrative Code.
4. A minimum four foot-wide sidewalk shall be installed along the frontage of the property abutting 2nd Avenue as part of the new extrusion building addition project. Additionally, a minimum five foot pedestrian walkway shall be installed that connects the main office entrance to the adjacent sidewalk along 2nd Avenue. The pedestrian walkway may be designated with pavement striping, change in pavement material, or some other alternative approved by the Community Development Director or their assignee. Sidewalk installation along the frontage of South 11th Street shall be coordinated with Public Works and should be completed at such time South 11th Street is reconstructed and/or improved to current City standards.
5. Electric vehicle charging units and supporting equipment shall not impede parking, circulation, or designated pedestrian pathways. Transformer boxes and other above-ground equipment for electric vehicle charging units shall be screened with fencing and/or landscaping that extends at least six (6) inches above the highest point of the equipment or be wrapped with artwork.
6. No junked, wrecked, or inoperable vehicles shall be stored outdoors on the subject property.
7. All driveway approaches shall be constructed with eight inch thick Portland concrete.

Architecture

1. The subject property is comprised of an existing industrial manufacturing operation whose buildings are primarily constructed out of metal panels and brick. In order to maintain a level of continuity between existing buildings and future buildings the following building materials shall be deemed acceptable for this site: metal wall panels, brick/stone masonry (or similar materials in appearance and durability), CMU block (split-faced), glass, pre-cast concrete panels, decorative architectural metal, and/or other high quality durable materials that are approved by the Community Development Director of their designee.

Landscaping

1. The submitted landscaping plan identifies a mixture of ornamental and canopy trees being planted along the frontage area of South 11th Street and at the rear of the property facing the West Broadway Viaduct. The quantity and placement of said trees, as per the submitted development plan, are deemed acceptable. Additionally, the plan shows the removal of existing concrete along the frontage of 2nd Avenue and replacing it with landscape beds that are comprised of mulch and shrubs. The number of shrubs to be planted is not identified. City staff recommends a minimum of 20 shrubs be planted in each proposed landscape bed. All landscaping identified on the submitted development plan shall be

installed prior to issuance of a final Certificate of Occupancy for the applicant's proposed new extrusion building addition.

2. All disturbed areas not utilized for buildings, parking, truck loading areas, or decorative landscaping shall be seeded with sod, turf, and/or prairie grass at a minimum.
3. All landscaping shall be appropriately maintained and dead plant material replaced at a time appropriate to planting seasons but in all cases shall be replaced within one (1) year.
4. Not more than ten (10) percent of the landscaped area shall be of inorganic materials such as brick, stone, aggregate, metal or artificial turf.

Signage

1. All signage shall comply with the standards stated in Chapter 15.33, *Signs,* of the Council Bluffs Municipal Code.
2. The total amount of signage for the entire parcel shall not exceed 1x the street frontage of the subject property. The portion of the subject property that abuts the West Broadway Viaduct shall not be considered frontage for sign calculation purposes.
3. A maximum of two detached signs shall be permitted on the subject property for business advertisement. Additionally, each entrance into the site shall be allowed a maximum of two directional signs. All detached signage (including directional signs) shall comply with I-1 District standards, as stated in Section 15.33.180, *Industrial Districts Signs,* of the Council Bluffs Municipal Code (Zoning Ordinance).
4. All attached wall signage shall comply with Section 15.33.180, *Industrial Districts Signs,* of the Council Bluffs Municipal Code (Zoning Ordinance). Attached signage shall not extend above the peak roof of any portion of the building that it's attached to, nor shall it extend beyond the side wall of any building façade that it's attached to.
5. All new signage shall receive a sign permit from the City prior to installation.

Recommendation

The Community Development Department recommends the following for the subject property legally described above:

1. Approval of the request to rezone property legally described as being part of Lots 1, 2, 3, 4, 7, 8, 9 and 10 (including the abutting vacated alley), all in Block 12, Beer's Addition along with part of Lots 1, 2, 7, 8, 9 and 10, (including the abutting vacated alley), all in Block 9, Beer's Addition, along with part of vacated First Avenue between Blocks 9 and 12, Beer's Addition, City of Council Bluffs, Pottawattamie County, Iowa, from A-2/Parks, Estates, and Agricultural District and I-1/Light Industrial District to P-I/Planned Industrial District, based on the reasons stated above.
2. Approval of the request to adopt a planned industrial development plan for the subject property legally described above, and as shown in Attachment 'B', subject to the comments stated above and the following condition:
    a) Any modifications to the approved development plan which substantially alters the design, layout, configuration, and/or appearance of the project shall be reviewed by the City Planning Commission and approved by City Council prior to such changes being made. All minor modifications to the adopted development plan may be administratively approved by the Community Development Director.

Public Hearing

Staff speaker for the request:

1. Christopher Gibbons, Planning Manager, City of Council Bluffs, 209 Pearl Street, Council Bluffs, IA 51503

Speakers in favor:

1. Bob Decker, 7910 North 124th Street, Omaha, NE 68142

Speakers against: None

The City Planning Commission recommended:

1. Approval of the request to rezone property legally described as being part of Lots 1, 2, 3, 4, 7, 8, 9 and 10 (including the abutting vacated alley), all in Block 12, Beer's Addition along with part of Lots 1, 2, 7, 8, 9 and 10, (including the abutting vacated alley), all in Block 9, Beer's Addition, along with part of vacated First Avenue between Blocks 9 and 12, Beer's Addition, City of Council Bluffs, Pottawattamie County, Iowa, from A-2/Parks, Estates, and Agricultural District and I-1/Light Industrial District to P-I/Planned Industrial District, based on the reasons stated above; and

2. Approval of the request to adopt a planned industrial development plan for property legally described as being part of Lots 1, 2, 3, 4, 7, 8, 9 and 10 (including the abutting vacated alley), all in Block 12, Beer's Addition along with part of Lots 1, 2, 7, 8, 9 and 10, (including the abutting vacated alley), all in Block 9, Beer's Addition, along with part of vacated First Avenue between Blocks 9 and 12, Beer's Addition, City of Council Bluffs, Pottawattamie County, Iowa, and as shown in Attachment 'B', subject to the comments stated above and the following condition:
    a) Any modifications to the approved development plan which substantially alters the design, layout, configuration, and/or appearance of the project shall be reviewed by the City Planning Commission and approved by City Council prior to such changes being made. All minor modifications to the adopted development plan may be administratively approved by the Community Development Director.

VOTE: AYE – Bailey, Bass, Hutcheson, Knauss, Opperman, Rater, Scott, Stroebele and Van Houten. NAY - Halm ABSTAIN – Rew. ABSENT – None. VACANT - None Motion: Carried.

Attachments:

Attachment A: Location/Zoning Map
Attachment B: Proposed Development Plan

Prepared by: Christopher Gibbons, Planning Manager, Community Development Department

CITY OF COUNCIL BLUFFS - CITY PLANNING COMMISSION
CASES #ZC-22-007 & PI-22-001 LOCATION/ZONING MAP

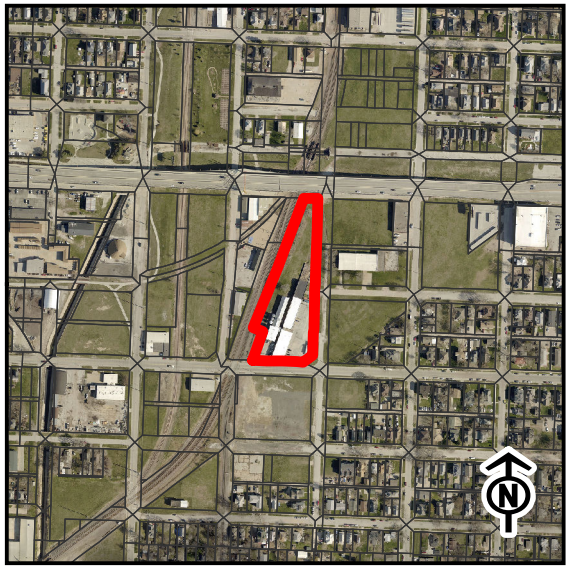
ATTACHMENT A

Legend

Subject_Property

0 75 150

1 Inch = 150 Feet

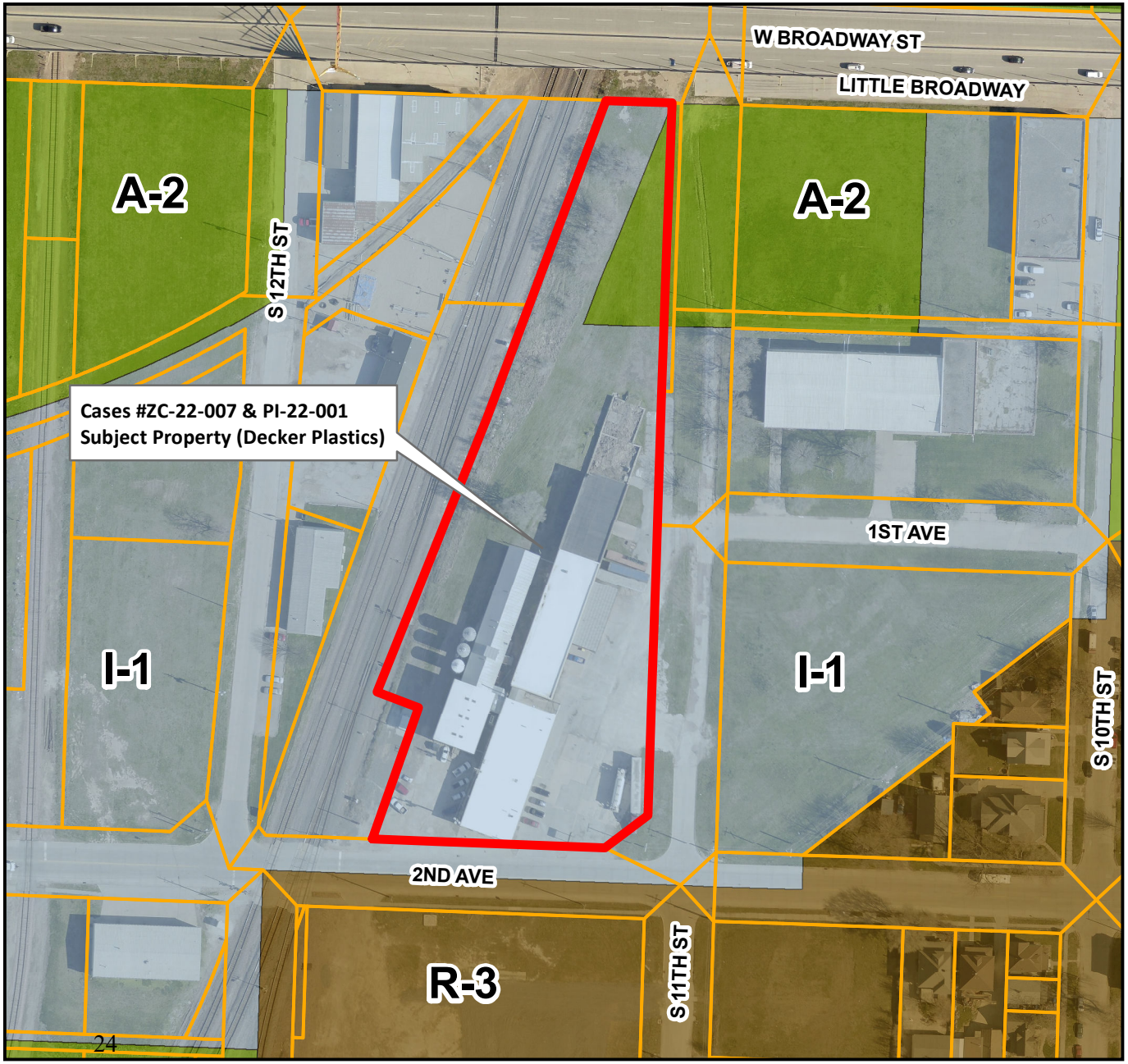


Last Amended: 10/18/2022

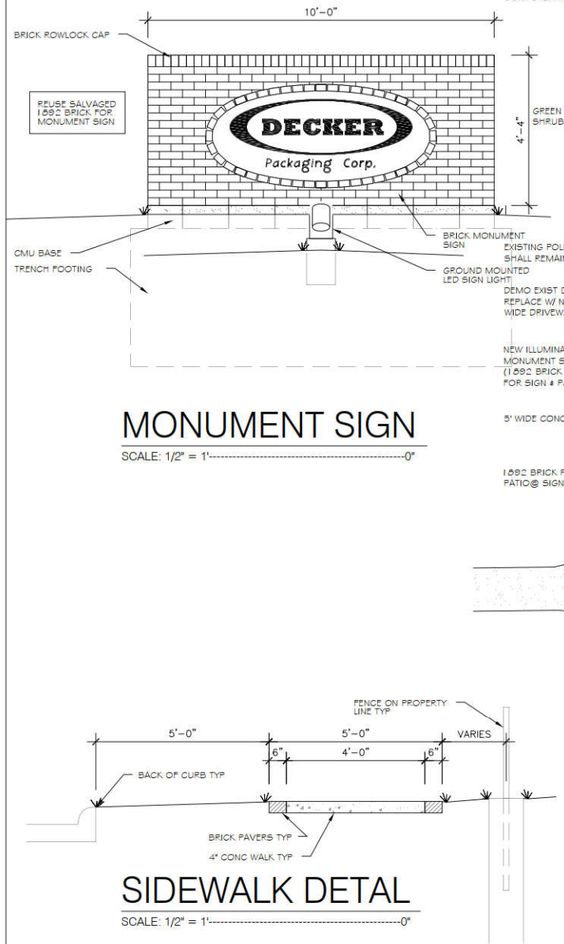
Council Bluffs Community
Development Department
209 Pearl Street
Council Bluffs, IA 51503
Telephone: (712) 890-5350

DISCLAIMER

This map is prepared and compiled from City documents, plans and other public records data. Users of this map are hereby notified that the City expressely denies any and all responsibilities for errors, if any, in the information contained on this mapof the misuse 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 B

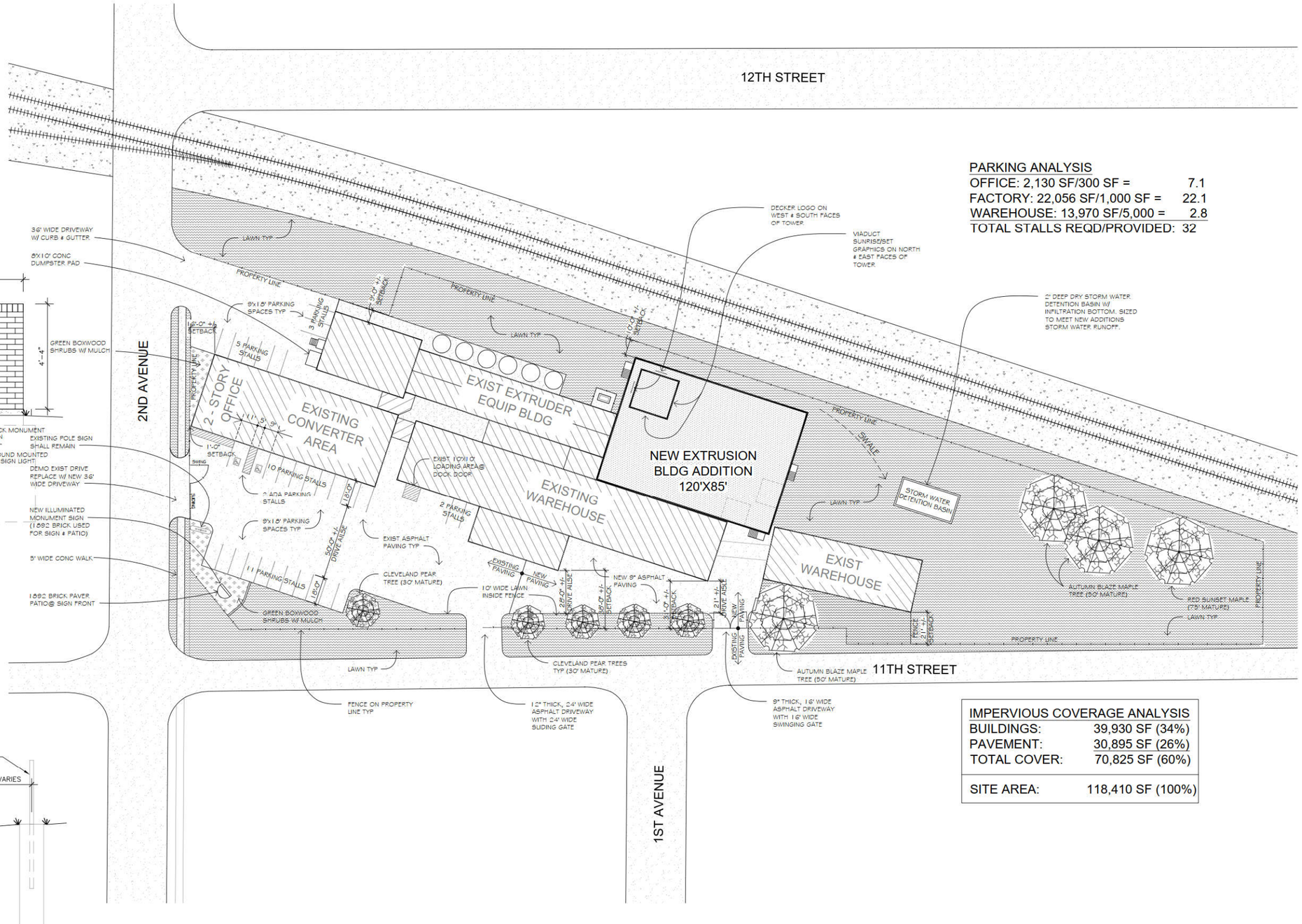


MONUMENT SIGN

SCALE: 1/2" = 1'----------0"

SIDEWALK DETAL

SCALE: 1/2" = 1'----------0"



IMPERVIOUS COVERAGE ANALYSIS	
BUILDINGS:	39,930 SF (34%)
PAVEMENT:	30,895 SF (26%)
TOTAL COVER:	70,825 SF (60%)
SITE AREA:	118,410 SF (100%)

PROPOSED SITE PLAN

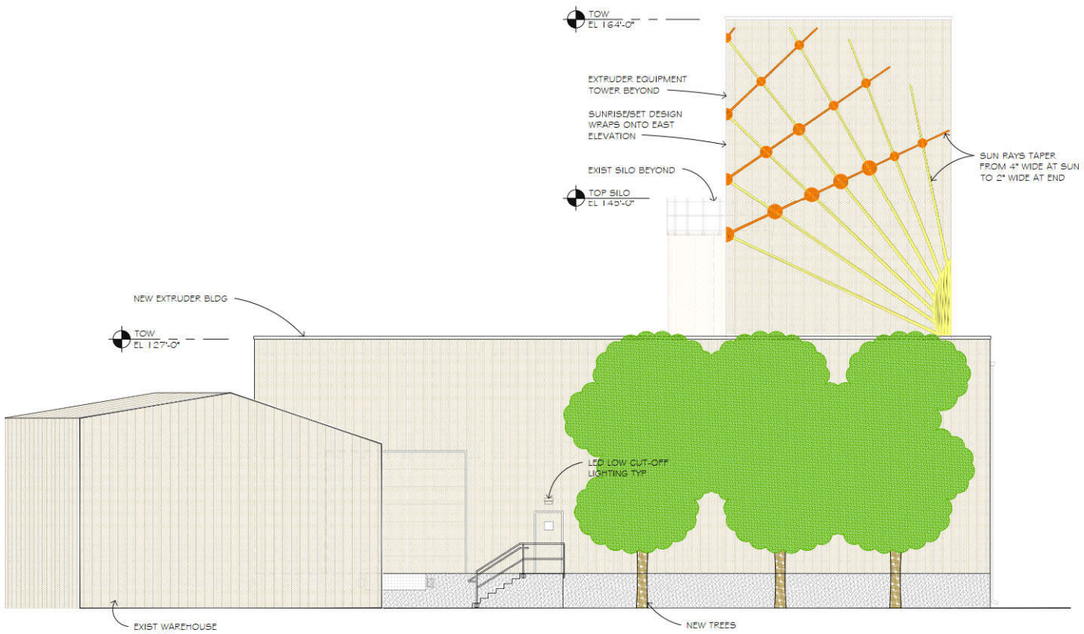
SCALE: 1/32" = 1'----------0"

N NORTH

DECKER PLASTICS EXTRUDER BUILDING ADDITION

1104 2ND AVENUE COUNCIL BLUFFS, IOWA

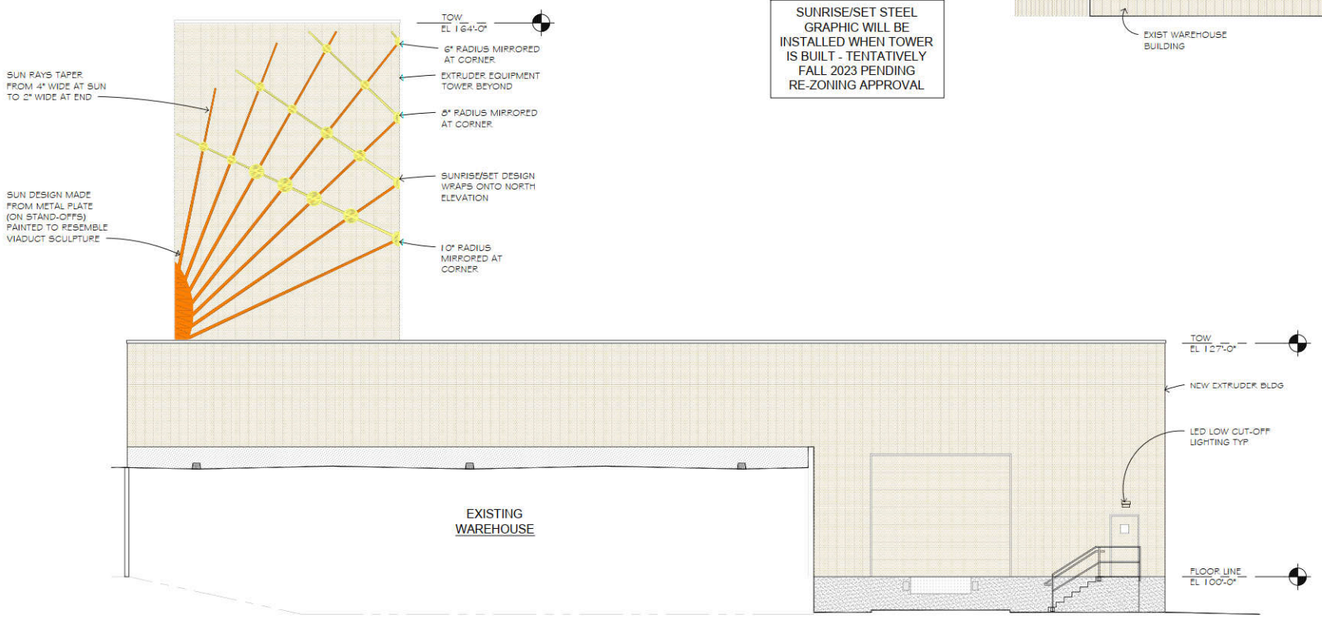
Dean Fajen ARCHITECT/STRUCTURAL ENGINEER



NORTH ELEVATION

SCALE: 1/8" = 1'----------0"

SUNRISE/SET STEEL GRAPHIC WILL BE INSTALLED WHEN TOWER IS BUILT - TENTATIVELY FALL 2023 PENDING RE-ZONING APPROVAL



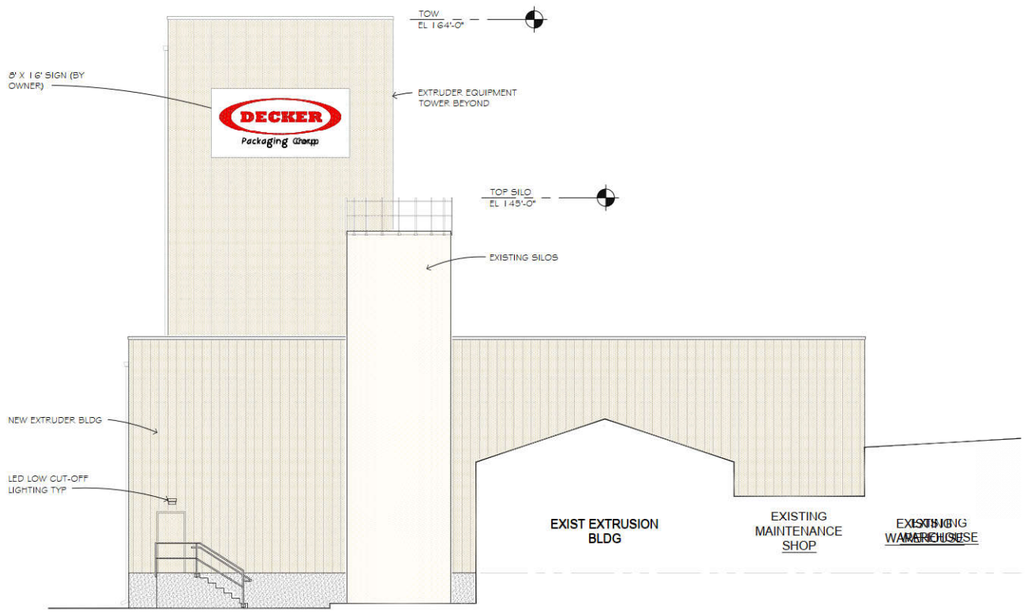
EAST ELEVATION

SCALE: 1/8" = 1'----------0"

DECKER PLASTICS EXTRUDER BUILDING ADDITION

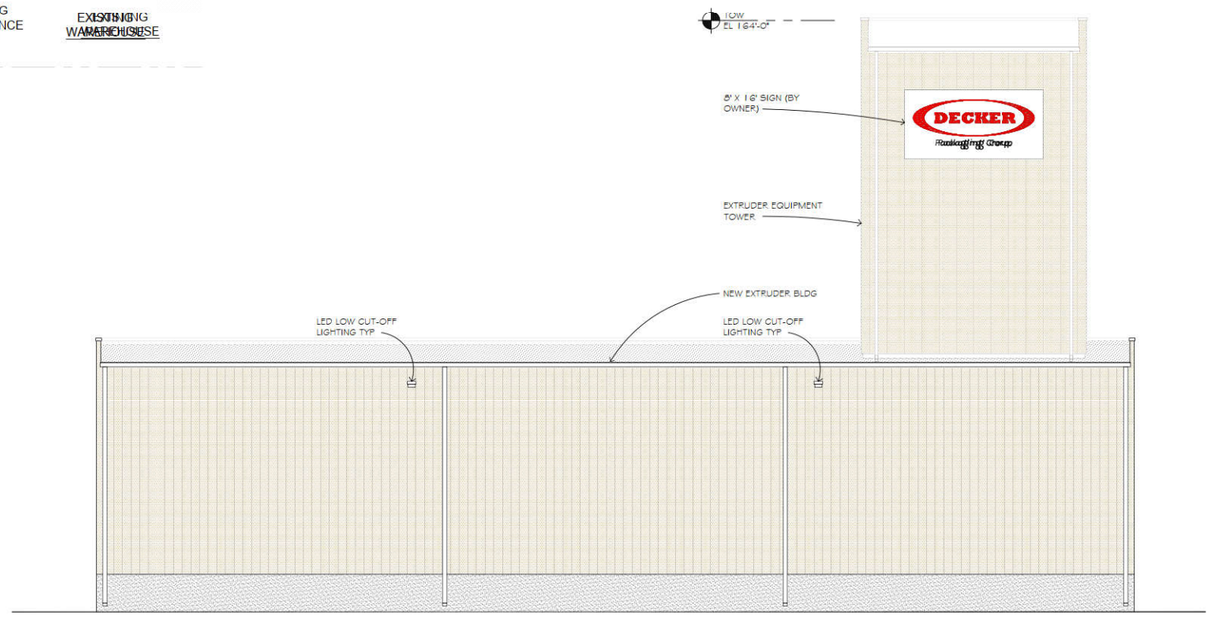
1104 2ND AVENUE COUNCIL BLUFFS, IOWA

Dean Fajen
ARCHITECT/STRUCTURAL ENGINEER



SOUTH ELEVATION

SCALE: 1/8" = 1'----------0"



WEST ELEVATION

SCALE: 1/8" = 1'----------0"

DECKER PLASTICS EXTRUDER BUILDING ADDITION

1104 2ND AVENUE COUNCIL BLUFFS, IOWA

Dean Fajen
ARCHITECT/STRUCTURAL ENGINEER

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 B&D Land and Development Company, LLC, represented by Bob Decker, to rezone property legally described as being part of Lots 1, 2, 3, 4, 7, 8, 9 and 10 (including the abutting vacated alley), all in Block 12, Beer's Addition along with part of Lots 1, 2, 7, 8, 9 and 10, (including the abutting vacated alley), all in Block 9, Beer's Addition, along with part of vacated First Avenue between Blocks 9 and 12, Beer's Addition, City of Council Bluffs, Pottawattamie County, Iowa, from A-2/Parks, Estates, and Agricultural District and I-1/Light Industrial District to P-I/Planned Industrial District, as defined in Chapter 15.19 of the Municipal Code of Council Bluffs, Iowa; and to adopt a P-I/Planned Industrial development plan for said property legally described above and being more particularly described in the associated case file located in the Council Bluffs Community Development Department.

You are further notified that the 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 19th day of December, 2022 in the City Council Chambers, 2nd 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. 6530

AN ORDINANCE TO AMEND THE ZONING MAP OF THE CITY OF COUNCIL BLUFFS, IOWA, AS ADOPTED BY REFERENCE IN SECTION 15.27.020 OF THE 2020 MUNICIPAL CODE OF COUNCIL BLUFFS, IOWA, BY REZONING PROPERTY LEGALLY DESCRIBED AS BEING PART OF LOTS 1, 2, 3, 4, 7, 8, 9 AND 10 (INCLUDING THE ABUTTING VACATED ALLEY), ALL IN BLOCK 12, BEER'S ADDITION ALONG WITH PART OF LOTS 1, 2, 7, 8, 9 AND 10, (INCLUDING THE ABUTTING VACATED ALLEY), ALL IN BLOCK 9, BEER'S ADDITION, ALONG WITH PART OF VACATED FIRST AVENUE BETWEEN BLOCKS 9 AND 12, BEER'S ADDITION, CITY OF COUNCIL BLUFFS, POTTAWATTAMIE COUNTY, IOWA FROM A-2/PARKS, ESTATES, AND AGRICULTURAL DISTRICT AND I-1/LIGHT INDUSTRIAL DISTRICT TO P-I/PLANNED INDUSTRIAL DISTRICT AS SET FORTH AND DEFINED IN CHAPTER 15.19 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 2020 Municipal Code of the City of Council Bluffs, Iowa, be and the same is hereby amended by rezoning property legally described as being part of Lots 1, 2, 3, 4, 7, 8, 9 and 10 (including the abutting vacated alley), all in Block 12, Beer's Addition along with part of Lots 1, 2, 7, 8, 9 and 10, (including the abutting vacated alley), all in Block 9, Beer's Addition, along with part of vacated First Avenue between Blocks 9 and 12, Beer's Addition, City of Council Bluffs, Pottawattamie County, Iowa, from A-2/Parks, Estates, and Agricultural District and I-1/Light Industrial District to P-I/Planned Industrial District, as set forth and defined in Chapter 15.19 of the Municipal Code of Council Bluffs, Iowa.

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 December 19, 2022.
APPROVED

_____

MATTHEW J. WALSH Mayor

Attest: _____

JODI QUAKENBUSH City Clerk

First Consideration: 11-28-22
Second Consideration: 12-19-22
Public Hearing: 12-19-22
Third Consideration: _____

Council Communication

Department: Community Development
Case/Project No.: ZT-22-009
Submitted by: Haley Weber, Planner

Ordinance 6531
ITEM 3.D.

Council Action: 11/28/2022

Description

Ordinance to amend Chapter 15.28, Development Plan Review Procedure (Zoning Ordinance) and setting a Public Hearing for December 19, 2022 at 7:00 p.m. by amending Section 15.28.060 to provide clarity on the process for adopting a P-R/Planned Residential Development Plan. ZT-22-009

Background/Discussion

See attached staff report.

Recommendation

ATTACHMENTS:

Description	Type	Upload Date
Staff Report	Staff Report	11/18/2022
Attachment A: Proposed Text Amendment	Code Section	11/18/2022
Public Hearing Notice	Notice	11/18/2022
Ordinance 6531	Ordinance	11/22/2022

City Council Communication

Department: Community Development CASE #ZT-22-009 Applicant: Community Development Department	Ordinance No. _____	1st Consideration: 11/28/2022 2nd Consideration: 12/19/2022 3rd Consideration: Request to be waived Planning Commission: 11/8/22

Subject/Title

Request: Public hearing on the request of the Community Development Department to amend Section 15.28.060, *Development Plan Review Procedure,* of the Council Bluffs Municipal Code (Zoning Ordinance) to provide clarity on the legislative process for adopting a P-R development plan.

Background

The Community Development Department is requesting to amend Chapter 15.28, P-R/Planned Residential Overlay, of the Council Bluffs Municipal Code (Zoning Ordinance) to provide clarity on the mechanism used to adopt a P-R/Planned Residential development plan. The current language references both the process for adopting a P-R development plan by ordinance and by resolution. The purpose of this text amendment is to remove the language which states that P-R development plans are adopted by ordinance, as these plans are intended to be adopted by resolution.

The proposed text amendment is included with this report as Attachment 'A'.

All City Departments and local utilities were notified of the proposed text amendment. No adverse comments were received as of the date of this report.

Recommendation

The Community Development Department recommends approval of the request of the City of Council Bluffs to amend Section 15.28.060, *Development Plan Review Procedure,* of the Council Bluffs Municipal Code (Zoning Ordinance) to provide clarity on the legislative process for adopting a P-R development plan.

Public Hearing

Staff speaker for the request:
1. Christopher Gibbons, Planning Manager, City of Council Bluffs, 209 Pearl Street, Council Bluffs, IA 51503

Speakers in favor: None

Speakers against: None

The City Planning Commission recommended approval of the request of the City of Council Bluffs to amend Section 15.28.060, *Development Plan Review Procedure,* of the Council Bluffs Municipal Code (Zoning Ordinance) to provide clarity on the legislative process for adopting a P-R development plan.

VOTE: AYE – Bailey, Bass, Halm, Hutcheson, Knauss, Opperman, Rater, Rew, Scott, Stroebele and Van Houten. NAY – None. ABSTAIN – None. ABSENT – None. VACANT - None Motion: Carried.

Attachment(s)

Attachment A: Proposed Text Amendment

Prepared by: Haley Weber, Planner, Community Development Department

ATTACHMENT A

Chapter 15.28 - P-R/PLANNED RESIDENTIAL OVERLAY

15.28.010 Statement Of Intent
15.28.020 Applicability
15.28.030 Permited Land Uses And Site Development Regulations
15.28.040 Additional Regulations
15.28.050 Establishment Of A Planned Residential Overlay
15.28.060 Development Plan Review Procedure
15.28.070 Development Plan Completion
15.28.080 Termination Of The Planned Residential Overlay

15.28.010 Statement Of Intent

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 requirements of the underlying zone would not be inconsistent with the comprehensive plan or harmful to the surrounding neighborhoods. The PR Overlay is intended to:

1. Provide for innovative and imaginative development through flexibility in subdivision and site layout, placement of buildings, a variety of housing types, efficient diversification of land uses, alternative modes of transportation, pedestrian and vehicular interconnections, use of open space, conservation of natural habitats and wildlife, and related architectural design, off-street parking and signage considerations;
2. Increase and diversify the city's housing stock;
3. Encourage the preservation and use of existing landscape features;
4. Promote efficient land use and infrastructure with smaller networks of utilities and streets;
5. Promote an attractive and safe living environment which is compatible with surrounding residential developments;
6. Provide an alternative method for redeveloping older residential areas and to encourage infill development.

(Ord. 5309 § 1 (part), 1996)

HISTORY
Amended by Ord. 6483 on 2/28/2022

15.28.020 Applicability

1. A PR Overlay may be applied to all residential zoning districts, except the R-1M/Single-Family Manufactured Housing District, and the A-P/Administrative-Professional District.

2. PR-1 Overlay (General Master Planned Development). The PR-1 Overlay is intended for general master planned development. The minimum tract of land considered for a PR-1 Overlay shall be one and a half (1 ½) acres.

3. PR-2 Overlay (Site-Specific Infill Development). The PR-2 Overlay is intended for site-specific infill development. A PR-2 Overlay may be applied to any property, or 2 combination of contiguous properties owned by the same person or entity, that contain a maximum of one and one-half (1 ½) acres of total land area; however, at least one of the following shall be included within the development:

    1. A minimum of two (2) residential structures.

    2. A minimum of one (1) residential structure that contains a minimum of three (3) dwelling units.

    3. A minimum of one (1) mixed commercial-residential structure.

4. All PR Overlays existing prior to the effective date of this ordinance shall continue to be governed by all applicable conditions of the adopted development plan on the subject property.

(Ord. 5309 § 1 (part), 1996)

HISTORY
Amended by Ord. 6483 on 2/28/2022

15.28.030 Permitted Land Uses And Site Development Regulations

1. All site development regulations and land uses established as part of an adopted development plan shall supersede those of the underlying zoning district.

2. Land uses. Residential uses as identified in this Section shall comprise the majority of the land area and building square footage for any development. All uses identified in this Section as 'Commercial' or 'Other' shall be clearly subordinate to the overall residential development. The following land uses shall be allowed in a PR Overlay:

    1. Residential.

        1. Dwelling, single-family attached;

        2. Dwelling, single-family detached;

        3. Dwelling, multifamily;

        4. Dwelling, townhome;

        5. Dwelling, two-family;

        6. Congregate housing, life care facility, or nursing home;

        7. Family home;

        8. Group care home.

2. Commercial.
    1. Automobile service establishment (limited to the following):
        1. Car wash;
        2. Convenience grocery store with retail gasoline sales;
        3. Electric vehicle charging station;
    2. Boarding, lodging rooming house, or bed and breakfast;
    3. Business, professional office;
    4. Business service establishment;
    5. Club or lodge;
    6. Commercial recreation (indoor and outdoor);
    7. Commercial storage (only allowed in the PR-1 Overlay, as further limited by Section 15.28.040);
    8. Consumer service establishment;
    9. Day care services (as further limited by CBMC 15.28.040);
    10. Financial service;
    11. Hotel/motel;
    12. Mixed commercial/residential structure;
    13. Newspaper printing;
    14. Pawn shop;
    15. Restaurants (drive-in/fast food, limited and general);
    16. Retail shopping establishment;
    17. Storage yard (only allowed in the PR-1 Overlay, as further limited by CBMC 15.28.040);
    18. Tattoo parlor;
    19. Tavern (as limited by Section 15.28.040).
3. Other.
    1. College or universities;
    2. Community recreation services;
    3. Cultural service;

4. Funeral service;
5. General government use;
6. Governmental maintenance facility;
7. Hospital;
8. Local utility services;
9. Park and recreation services;
10. Private parking lot;
11. Public parking lot;
12. Public safety services;
13. Religious assembly;
14. School;
15. Small alcohol production facility (as limited by Section 15.28.040);
16. Veterinary service.

3. Site development regulations. Site development standards shall be established as part of an adopted development plan and shall include, but not be limited to, the following: minimum lot size, setbacks and building placement, height, lot coverage, signage, off-street parking, block design, architecture, landscaping, streetscapes, pedestrian facilities, screening, utilities, outdoor lighting, fencing and site amenities.

(Ord. 5743 § 1, 2002)

HISTORY
Repealed & Replaced by Ord. 6483 on 2/28/2022

15.28.040 Additional Regulations

1. Storage Uses. Storage uses shall only be allowed in a PR-1 Overlay, and shall be limited to a combined maximum of five percent of the land area designated as commercial within the development. The following storage use regulations shall apply to all storage uses:
    1. Commercial storage facilities and storage yards shall be owned and operated by a homeowner's association or management group for the overall development.
    2. Storage yards shall be limited to the exterior storage of operable vehicles, including trucks, recreational vehicles, as defined in CBMC 15.03.585, and vessels, as defined in CMBC 15.03.586, and trailers on designated parking spaces. Exterior storage of junk, wrecked, or inoperable vehicles, equipment, and other materials shall not be allowed.
    3. Outdoor storage areas shall be completely screened from view at or beyond the property line and shall be designed as a part of the overall development.

2. No tavern or small alcohol production facility shall be located within two hundred (200) feet of any school, place of religious assembly, public park, or any conforming residential use. Distance shall be measured between the closest points from lot line to lot line.

3. In-home day care services shall be subject to approval of a conditional use permit as set forth in CMBC 15.02.090.

(Ord. 5309 § 1 (part), 1996)

HISTORY
Repealed & Replaced by Ord. 6483 on 2/28/2022

15.28.050 Establishment Of A Planned Residential Overlay

1. Procedure. All requests to establish a planned residential overlay shall be considered by the City Planning Commission and the City Council in the same manner as a rezoning request, as set forth in CMBC 15.02.070

(Ord. 5309 § 1 (part), 1996)

HISTORY
Repealed & Replaced by Ord. 6483 on 2/28/2022

15.28.060 Development Plan Review Procedure

~~1. Procedure. All requests to adopt a planned residential development shall be considered by the City Planning Commission and the City Council in the same manner as a rezoning request, as set forth in CMBC 15.02.070, except as stated below.~~

~~2.~~1. Application. A development plan shall be submitted to the community development department, along with a filing fee as specified by this title. Upon application submittal, the development plan shall be reviewed in accordance with the procedures outlined below. The following information shall be submitted to the community development department:

1. A letter of intent stating the proposed uses, improvements necessary to serve the development, construction time frame and phasing;

2. The development name and legal description of the boundary;

3. A north arrow, scale, bar scale and date;

4. The names and addresses of the owner, and the architect or engineer preparing the plan;

5. A location map showing the proposed development and its relationship to existing abutting subdivisions and community facilities such as streets, schools, parks, and commercial areas;

6. All established floodway or floodway fringe encroachment limits;

7. A soils and drainage report prepared by the engineer. The report shall show the general soil and drainage conditions and include preliminary recommendations as to the adaptability of the property proposed for development;

8. Location and size of any sites to be considered for dedication to public use;

9. Layout, numbers and dimensions of proposed lots;

10. The location, width, name, grade and typical cross-sections of all proposed streets within the development and the width and name of any platted street located within two hundred (200) feet of the site;

11. The location and width of other public ways, railroad rights-of-way, utility and all other easements, existing or proposed within the development and within two hundred (200) feet;

12. Existing and proposed contour intervals of not more than five feet;

13. All existing and proposed underground installations within the proposed development or adjacent thereto or the location of the nearest available facilities;

14. The location of all existing and proposed structures, proposed parking areas, pedestrian ways, private and public streets, landscaping, screening and fencing;

15. Design, location and size of signage to be installed as part of the proposed development;

16. A photometric plan which shows proposed light pole height, materials and height, light fixture type and design, and other outdoor lighting considerations;

17. Location and area proposed as open space;

18. The number of dwelling units proposed for the development and the general arrangement of buildings; and

19. Architectural drawings, renderings, or other visual documents which illustrate the proposed building design(s).

~~3.~~2. Review by Community Development Department. The community development director shall determine the adequacy and completeness of the development plan application. The community development director may require additional information prior to scheduling review by the city planning commission. The application shall be accompanied by one (1) electronic copy and one (1) paper copy (minimum size: 11 in. x 17 in.) of the preliminary development plan for the entire development.

~~4.~~3. Review by the City Planning Commission. The city planning commission, in reviewing the development plan, shall take into consideration conformance with the comprehensive plan, recognized principles of land use planning, landscape, architecture, the conservation and stabilization of the value of property, adequate open space for light and air, congestion of public streets, the promotion of public safety, health, convenience and comfort and the general welfare of persons using the facility. In addition to the proposed use meeting the general requirements as set forth, the commission in recommending approval of the proposed

development plan, may recommend certain conditions to be attached to such use which the commission deems necessary in order to carry out the intent and purpose of this title. Such conditions may include, but are not limited to an increase in the required lot or yard area, control of the location and number of vehicular access points to the property, limitations to the number of signs, limitations to coverage or height of buildings situated on the property because of obstruction to view and reduction of light and air to adjacent property, and required screening and landscaping where necessary to reduce noise and glare, and designation and responsibility for maintenance of the property.

~~5.~~4. Review by City Council. After review of the development plan by the city planning commission, it shall be forwarded to the city council, with its written recommendations, whether for approval or denial, whereupon the city council may take action on the plan. Approval of the development plan shall be by city council resolution.

~~6.~~5. Building Permit Review. The community development director shall review all grading, building, and public works construction permits for compliance with the approved development plan. No grading, building, or public works construction permit shall be issued if determined by the community development director to be inconsistent with the approved development plan. However, the community development director shall have the authority to approve minor changes to the development plan. If the community development director determines that major changes are requested, review and approval by the city planning commission and city council shall be required.

~~7.~~6. Amendment to Development Plan. Proposed amendments to an approved development plan shall be subject to the same review and approval procedure as an initial application. Minor amendments to an adopted development plan may be administratively approved at the discretion of the Community Development Director.

(Ord. 5309 § 1 (part), 1996)

HISTORY
Amended by Ord. 6483 on 2/28/2022

15.28.070 Development Plan Completion

If the improvements identified in the development plan have not been completed within three years from the date of the city council approval, the development plan shall be void unless an extension of time has been granted prior to the expiration date. The city planning commission may grant a two year extension. In reviewing a request for extension of time, the commission shall consider whether the development plan is in compliance with applicable ordinances, standards for public improvements and the comprehensive plan of the city.

(Ord. 5309 § 1 (part), 1996)

HISTORY
Amended by Ord. 6483 on 2/28/2022

15.28.080 Termination Of The Planned Residential Overlay

If no substantial development has taken place in a PR overlay for three years following approval of the development plan, the city planning commission shall reconsider the zoning of the property and may, on its own motion, initiate an application for rezoning the property.

(Ord. 5309 § 1 (part), 1996)

HISTORY
Amended by Ord. 6483 on 2/28/2022

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 to amend Section 15.28.060, *Development Plan Review Procedure,* of the Council Bluffs Municipal Code (Zoning Ordinance) to provide clarity on the legislative process for adopting a P-R development plan.

You are further notified that the 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 19th day of December, 2022 in the City Council Chambers, 2nd 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. 6531

AN ORDINANCE TO AMEND CHAPTER 15.28, DEVELOPMENT PLAN REVIEW PROCEDURE OF THE MUNICIPAL CODE (ZONING ORDINANCE) OF THE 2020 MUNICIPAL CODE OF COUNCIL BLUFFS, IOWA, BY AMENDING SECTION 15.28.060 TO PROVIDE CLARITY ON THE PROCESS FOR ADOPTING A P-R/PLANNED RESIDENTIAL DEVELOPMENT PLAN.

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

SECTION 1. That Chapter 15.28, Development Plan Review Procedure of the Municipal Code (Zoning Ordinance) of the 2020 Municipal Code of Council Bluffs, Iowa, be and the same is hereby amended by amending Section 15.28.060 "Development Plan Review Procedure" to read as follows:

A. Application. A development plan shall be submitted to the community development department, along with a filing fee as specified by this title. Upon application submittal, the development plan shall be reviewed in accordance with the procedures outlined below. The following information shall be submitted to the community development department:
    1. A letter of intent stating the proposed uses, improvements necessary to serve the development, construction time frame and phasing;
    2. The development name and legal description of the boundary;
    3. A north arrow, scale, bar scale and date;
    4. The names and addresses of the owner, and the architect or engineer preparing the plan;
    5. A location map showing the proposed development and its relationship to existing abutting subdivisions and community facilities such as streets, schools, parks, and commercial areas;
    6. All established floodway or floodway fringe encroachment limits;
    7. A soils and drainage report prepared by the engineer. The report shall show the general soil and drainage conditions and include preliminary recommendations as to the adaptability of the property proposed for development;
    8. Location and size of any sites to be considered for dedication to public use;
    9. Layout, numbers and dimensions of proposed lots;
    10. The location, width, name, grade and typical cross-sections of all proposed streets within the development and the width and name of any platted street located within two hundred (200) feet of the site;
    11. The location and width of other public ways, railroad rights-of-way, utility and all other easements, existing or proposed within the development and within two hundred (200) feet;
    12. Existing and proposed contour intervals of not more than five feet;
    13. All existing and proposed underground installations within the proposed development or adjacent thereto or the location of the nearest available facilities;
    14. The location of all existing and proposed structures, proposed parking areas, pedestrian ways, private and public streets, landscaping, screening and fencing;
    15. Design, location and size of signage to be installed as part of the proposed development;
    16. A photometric plan which shows proposed light pole height, materials and height, light fixture type and design, and other outdoor lighting considerations;

17. Location and area proposed as open space;
18. The number of dwelling units proposed for the development and the general arrangement of buildings; and
19. Architectural drawings, renderings, or other visual documents which illustrate the proposed building design(s).

B. Review by Community Development Department. The community development director shall determine the adequacy and completeness of the development plan application. The community development director may require additional information prior to scheduling review by the city planning commission. The application shall be accompanied by one (1) electronic copy and one (1) paper copy (minimum size: 11 in. x 17 in.) of the preliminary development plan for the entire development.

C. Review by the City Planning Commission. The city planning commission, in reviewing the development plan, shall take into consideration conformance with the comprehensive plan, recognized principles of land use planning, landscape, architecture, the conservation and stabilization of the value of property, adequate open space for light and air, congestion of public streets, the promotion of public safety, health, convenience and comfort and the general welfare of persons using the facility. In addition to the proposed use meeting the general requirements as set forth, the commission in recommending approval of the proposed development plan, may recommend certain conditions to be attached to such use which the commission deems necessary in order to carry out the intent and purpose of this title. Such conditions may include, but are not limited to an increase in the required lot or yard area, control of the location and number of vehicular access points to the property, limitations to the number of signs, limitations to coverage or height of buildings situated on the property because of obstruction to view and reduction of light and air to adjacent property, and required screening and landscaping where necessary to reduce noise and glare, and designation and responsibility for maintenance of the property.

D. Review by City Council. After review of the development plan by the city planning commission, it shall be forwarded to the city council, with its written recommendations, whether for approval or denial, whereupon the city council may take action on the plan. Approval of the development plan shall be by city council resolution.

E. Building Permit Review. The community development director shall review all grading, building, and public works construction permits for compliance with the approved development plan. No grading, building, or public works construction permit shall be issued if determined by the community development director to be inconsistent with the approved development plan. However, the community development director shall have the authority to approve minor changes to the development plan. If the community development director determines that major changes are requested, review and approval by the city planning commission and city council shall be required.

F. Amendment to Development Plan. Proposed amendments to an approved development plan shall be subject to the same review and approval procedure as an initial application. Minor amendments to an adopted development plan may be administratively approved at the discretion of the Community Development Director.

(Ord. 5309 § 1 (part), 1996)

HISTORY

Amended by Ord. 6483 on 2/28/2022

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 December 19, 2022.
APPROVED

_____
MATTHEW J. WALSH Mayor

Attest: _____
JODI QUAKENBUSH City Clerk

First Consideration: 11-28-22
Second Consideration: 12-19-22
Public Hearing: 12-19-22
Third Consideration: _____

Council Communication

Department: Public Works Admin
Case/Project No.: BM-23-01
Submitted by: Jeremy Noel, Public Works Operations Manager

Resolution 22-295
ITEM 3.E.

Council Action: 11/28/2022

Description

Resolution setting a public hearing for 7:00 p.m. on December 19, 2022 for the Mid-America Center Roof Replacement Project, Phase 3. Project # BM-23-01

Background/Discussion

The Mid-America Center roof is twenty years old and several repairs have been necessary. There is concern that if sections of the roof continue to leak, it could lead to structural damage and a potential for property damage within the building.

Two roof projects have been completed to date, replacing a total area of 69,395 square feet. The Phase 2 project was completed earlier this year. The remaining 102,625 square foot of roof will be replaced in multiple phases. Roof sections that show the most deterioration will get the highest priority. This third phase includes 50,038 square feet of roof area to be replaced.

The estimated construction cost for this project is $1,020,690. The project was included in the FY23 CIP with funding from General Fund - Gaming.

The project schedule is as follows:

Set Public Hearing	November 28, 2022
Hold Public Hearing	December 19, 2022
Bid Letting	January 12, 2023
Award	January 23, 2023
Construction End	June 1, 2023

Recommendation

Approval of this resolution. This phase of the project will replace the most deteriorated portions of the roof to reduce the potential for damage.

ATTACHMENTS:

Description	Type	Upload Date
Notice of Public Hearing	Notice	11/18/2022
Resolution 22-295	Resolution	11/22/2022

Notice of Public Hearing

on the

Plans, Specifications, Form of Contract, and Cost Estimate

for the

Mid-America Center Roof Replacement Project, Phase 3

Project #BM-23-01

A Public Hearing will be held on December 19, 2022 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 Mid-America Center Roof Replacement Project, Phase 3. The project will include the replacement of 50,038 square feet of the existing roofing system (membrane roofing, roof insulation, and metal roof edge) and removal and reinstallation of existing lighting protection. 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. 22-295

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 MID-AMERICA CENTER ROOF REPLACEMENT PROJECT, PHASE 3 PROJECT #BM-23-01

WHEREAS, the City of Council Bluffs desires to remove and replace the roof at the Mid-America Center; and

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

WHEREAS, funding for this project will be provided by General Fund - Gaming; 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 Mid-America Center Roof Replacement Project, Phase 3 on December 19, 2022.

ADOPTED
AND
APPROVED November28, 2022

_____
Matthew J. Walsh, Mayor

ATTEST: _____
Jodi Quakenbush, City Clerk

Council Communication

Department: Finance
Case/Project No.:
Submitted by: Finance Department / Danielle Bemis

Resolution 22-296
ITEM 3.F.

Council Action: 11/28/2022

Description

Resolution setting a public hearing for December 19, 2022 at 7:00 p.m. for the FY24-FY28 Capital Improvement Program (CIP).

Background/Discussion

It is requested the Council set a public hearing for persons to comment and discuss the proposed FY24-FY28 Capital Improvement Program for the City of Council Bluffs.

Staff will be requesting approval to adopt the FY24-FY28 CIP schedule at the December 19, 2022 meeting.

Recommendation

In order for staff to move forward with presenting the FY24-FY28 CIP schedule to Council and citizens, Council must approve to set the public hearing for December 19, 2022.

ATTACHMENTS:

Description	Type	Upload Date
Notice of Public Hearing	Notice	11/18/2022
Resolution 22-296	Resolution	11/22/2022

NOTICE OF MEETING OF THE CITY COUNCIL OF THE CITY OF COUNCIL BLUFFS, IOWA, ON THE MATTER OF THE PROPOSED CAPITAL IMPROVEMENT PROGRAM FY23-FY27 OF SAID CITY, AND THE HEARING THEREON

PUBLIC NOTICE is hereby given that the Council of the City of Council Bluffs, Iowa, will hold a public hearing on the 19th day of December, 2022, at 7 o'clock P.M., in the Council Chambers, City Hall, 209 Pearl Street, Council Bluffs, Iowa, to approve the proposed FY24-FY28 Capital Improvement Program.

At the above meeting the Council shall receive oral or written objections from any resident or property owner of said City, to the above action. After all objections have been received and considered, the Council will, at this meeting or an any adjournment thereof, take additional action to approve the proposed FY24-FY28 Capital Improvement Program, or will abandon the proposal.

This notice is given by order of the Council of Council Bluffs, Iowa, as provided by Section 384.25 of the City Code of Iowa.

Dated this _____ day of _____, 2022.

_____
City Clerk of Council Bluffs, Iowa

Resolution 22-296

Resolution directing the City Clerk to publish notice and setting a Public Hearing to approve the FY24-FY28 Capital Improvement Program.

WHEREAS, the Capital Improvement Program (CIP) provides the City Council with a framework upon which to base improvement decisions, provides the City staff with direction as to its work effort, and provides the citizens with information about the City's future intentions.

WHEREAS, the City of Council Bluffs is required to hold a public hearing on the proposed FY24-FY28 Capital Improvement Program (CIP) prior to adoption of the CIP schedule,

WHEREAS, the City is required to publish and post the proposed FY24-FY28 CIP at least ten and no more than twenty days from the public hearing,

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 to approve the FY24-FY28 Capital Improvement Program on December 19, 2022 at 7:00 p.m. in Council Chambers at City Hall, 209 Pearl Street in Council Bluffs, Iowa.

Adopted and Approved: November 28, 2022

_____
Matthew J. Walsh, Mayor

_____
Jodi Quakenbush, City Clerk

Council Communication

Department: Finance
Case/Project No.:
Submitted by: Finance Department / Danielle Bemis

Resolution 22-297
ITEM 3.G.

Council Action: 11/28/2022

Description

Resolution authorizing transfers between funds under Iowa Code 545-2 for FY22.

Background/Discussion

Effective April 17, 2019 the Administrative Code for the State of Iowa was changed as it relates to interfund transfers. The Code now requires all interfund transfers must be approved by Council. A fund transfer log must be completed for all transfers between funds and must include the purpose for the transfer, the name of the fund from which the transfer is originating, the name of the fund into which the transfer is to be received and the dollar amount of the transfer.

This resolution is brought forward for approval of the FY22 actual interfund transfer to date.

Recommendation

Approve this resolution.

ATTACHMENTS:

Description	Type	Upload Date
Fund Transfer	Other	11/16/2022
Resolution 22-297	Resolution	11/22/2022

Fund Transfers
Council Meeting: 11/28/2022

Transfer From		Transfer To				
Fund Category	**Fund Name**	**Fund Category**	**Fund Name**	**Amount**	**Purpose**	**Effective FY**
Special Revenue	Employee Benefits Levy	General	General - Employee Benefits	400,000	Fund Employee Benefits - Final Funding for FY22	FY22

Resolution 22-297

Resolution authorizing transfers between funds under Iowa Code 545-2 for FY22.

WHEREAS, the Administrative Code for the State of Iowa, Section 545-2, was revised as it relates to interfund transfers, effective April 17, 2019.

WHEREAS, the Administrative Code now requires all interfund transfers must be approved by Council resolution. A fund transfer resolution must be completed for all transfers between funds and must include the purpose for the transfer, the name of the fund from which the transfer is originating, the name of the fund into which the transfer is to be received, and the dollar amount of the transfer.

Now, therefore, be it resolved by the City Council of the City of Council Bluffs, Iowa:

That the transfers identified are hereby approved and City Finance is authorized, empowered and directed to make the necessary transfers of said dollars between funds.

Adopted and Approved: November 28, 2022

_____
Matthew J. Walsh, Mayor

_____
Jodi Quakenbush, City Clerk

Council Communication

Department: Community Development
Case/Project No.: URV-22-010
Submitted by: Housing & Economic Development

Resolution 22-298
ITEM 3.H.

Council Action: 11/28/2022

Description

Resolution of necessity and intent and setting a Public Hearing for January 9, 2023 at 7:00 p.m. to amend the Veterans Memorial Highway Urban Revitalization Area. Location: 800 Veterans Memorial Highway. URV-22-010

Background/Discussion

See attached staff report.

Recommendation

ATTACHMENTS:

Description	Type	Upload Date
Staff Report	Staff Report	11/18/2022
Attachment A – Boundary Map	Map	11/18/2022
Attachment B - Draft of the Amended Veterans Highway Urban Revitalization Plan 2022	Other	11/23/2022
Resolution 22-298	Resolution	11/22/2022

Council Communication

Department: Community Development CASE # URV-22-010	Resolution No. _____ Ordinance No. _____	Resolution of Intent: 11/28/2022 Planning Commission: 12/13/2022 Public Hearing & First Reading: 1/09/2023 2nd Reading: 1/23/2023 3rd Reading: Request to Waive

Subject/Title

Resolution of necessity and intent to amend the Veterans memorial Highway Urban Revitalization Plan
Location: 800 Veterans Memorial Highway.

Background/Discussion

Background

On May 4, 2020 the City Council adopted Resolution 20-118 approving the Veterans Memorial Highway Urban Revitalization Plan. Subsequent to this action, Ordinance No. 6049 was adopted on May 18, 2020, which established the Urban Revitalization Area.

The Community Development Department wishes to amend the Urban Revitalization Area by adding one additional parcel. McGregor Interests, Inc. has a purchase agreement with the current owner of the subject property and intends to expand their commercial storage facility known as 'Lockbox Storage' at 800 Veterans Memorial Highway. This is one of the multiple locations of 'Lockbox Storage' across Iowa and Nebraska. McGregor Interests, Inc. proposes to construct an additional storage building and thirty-three (33) total parking spaces to provide exterior storage for boats, recreational vehicles (RVs), trailers and campers on the subject property.

Discussion

Iowa Code permits the City to establish urban revitalization areas which satisfy one of the five conditions outlined in Section 404.1. Staff believes this project meets the criteria under 404.1.2: An area which by reason of the presence of a substantial number of deteriorated or deteriorating structures, predominance of defective or inadequate street layout, incompatible land use relationships, faulty lot layout in relation to size, adequacy, accessibility or usefulness, unsanitary or unsafe conditions, deterioration of site or other improvements, diversity of ownership, tax or special assessment delinquency exceeding the actual value of the land, defective or unusual conditions of title, or the existence of conditions which endanger life or property by fire and other causes, or a combination of such factors, substantially impairs or arrests the sound growth of a municipality, retards the provision of housing accommodations or constitutes an economic or social liability and is a menace to the public health, safety, or welfare in its present condition and use.

Staff has prepared a resolution of intent to amend the urban revitalization area. The resolution directs staff to amend the urban revitalization plan as required by the Iowa Code, notify property owners and occupants and set January 9, 2023 as a public hearing date. Concurrent with the adoption of the amended urban revitalization plan, an ordinance establishing the amended urban revitalization area can be considered. Upon adoption of the area, the City is permitted to grant tax abatement to qualified projects.

If approved, the project as proposed could be eligible for either a full exemption from taxation for

three years, or a ten year declining property tax abatement on the actual value added by the improvements.

Recommendation

The Community Development Department recommends City Council adopt a resolution of necessity and intent to amend the Veterans Memorial Highway Revitalization Area.

Attachments

Attachment A – Boundary Map
Attachment B – Draft of the Amended Veterans Highway Urban Revitalization Plan 2022

Prepared by: Marianne Collins, Housing & Economic Development Planner, Community Development Department
Submitted by: Courtney Harter, Director Planning & Community Development, Community Development Department

Attachment A

Proposed Amended Veterans Memorial Highway Urban Revitalization Area:

Boundary Map

2022 Amendment to the Veterans Memorial Highway Urban Revitalization Plan

Prepared by
Community Development Department
City of Council Bluffs, Iowa

Original Area Adopted by
City Council on May 18, 2020
Amended _____, 2023

TABLE OF CONTENTS

SECTION	PAGE
INTRODUCTION	2
LEGAL DESCRIPTION OF AREA	6
PROPERTY OWNERS & ASSESSED VALUATIONS	7
EXISTING ZONING & PROPOSED LAND USE	7
PROPOSALS FOR IMPROVING OR EXPANDING CITY SERVICES	9
RELOCATION PROVISIONS	10
OTHER PUBLIC ASSISTANCE	10
APPLICABILITY & TAX EXEMPTION SCHEDULE	10
APPLICATION & REVIEW PROCESS	11
ATTACHMENT A: ORIGINAL TAX PARCEL INFORMATION	13
ATTACHMENT B: TAX PARCEL INFORMAITON (2022 AMENDMENT)	16
ATTACHMENT C: SITE PLAN	22

INTRODUCTION

On May 18, 2020, the City of Council Bluffs City Council adopted Ordinance No. 6409, which established the Veterans Memorial Highway Urban Revitalization Area. This revitalization area consisted of one parcel of land that was located north of Veterans Memorial Highway totaling 6.18 acres in size.

The newly proposed amendment will add one additional parcel to the existing Veterans Memorial Highway Urban Revitalization Plan for a total of 8.04 acres.

The Urban Revitalization Act empowers a municipality to designate an area appropriate for commercial and industrial enterprises, public improvements related to housing and residential development, or construction of housing and residential development for low and moderate income families, including single or multifamily housing.

The City of Council Bluffs wishes to utilize property tax abatement incentives under the Urban Revitalization act to facilitate renovation of a blighted area. The preparation and subsequent adoption of an Urban Revitalization Plan is required by the Iowa Code prior to the provision of property tax abatement.

Section 404.1 of the Iowa Code stipulates that the Council may, by ordinance, designate an area of the City as the revitalization area, if that area is classified as any of the following:

1. An area in which there is a predominance of buildings or improvements, whether residential or nonresidential, which by reason of dilapidation, deterioration, obsolescence, inadequate provision for ventilation, light, air, sanitation, or open spaces, high density of population and overcrowding, the existence of conditions which endanger life or property by fire and other causes or a combination of such factors, is conductive to ill health, transmission of disease, infant mortality, juvenile delinquency or crime and which is detrimental to the public health, safety or welfare.

2. An area which by reason of the presence of a substantial number of deteriorated or deteriorating structures, predominance of defective or inadequate street layout, incompatible land use relationships, faulty lot layout in relation to size, adequacy, accessibility or usefulness, unsanitary or unsafe conditions, deterioration of site or other improvements, diversity of ownership, tax or special assessment delinquency exceeding the actual value of the land, defective or unusual conditions of title, or the existence of conditions which endanger life or property by fire and other causes, or a combination of such factors, substantially impairs or arrests the sound growth of a municipality, retards the provision of housing accommodations or constitutes an economic or social liability and is a menace to the public health, safety or welfare in its present condition and use.

3. An area in which there is a predominance of buildings or improvements which by reason of age, history, architecture or significance should be preserved or restored to productive use.

4. An area which is appropriate as an economic development area as defined in Section 403.17(10) of the Iowa Code which states “an area of a municipality designated by the

local governing body as appropriate for commercial and industrial enterprises, public improvements related to housing and residential development, or construction of housing and residential development for low and moderate income families, including single or multifamily housing."

5. An area designated as appropriate for public improvements related to housing and residential development, or construction of housing and residential development, including single or multifamily housing.

In May 2020, the City of Council Bluffs adopted the Veterans Memorial Highway Urban Revitalization Area under the criteria of element 2. The City now desires to amend the Plan and Area (herein referred to as the "Amended Plan" and "Amended Area"). Consequently, on November 28, 2022, the City Council adopted Resolution No. 22- , which directed staff to prepare an amended plan for the proposed additional revitalization area. Illustration 1 is the City Council Original Resolution.

Illustration 1 – Original Resolution

RESOLUTION NO. 20-118

A RESOLUTION APPROVING THE URBAN REVITALIZATION PLAN FOR THE VETERANS MEMORIAL HIGHWAY URBAN REVITALIZATION AREA.

WHEREAS, the City of Council Bluffs has the authority under Chapter 404 of the Iowa Code to declare an area to be an urban revitalization area; and

WHEREAS, on March 23, 2020, the City Council adopted Resolution 20-69, which directed staff to prepare a plan for the Veterans Memorial Highway Urban Revitalization Area and set a public hearing for May 4, 2020; and

WHEREAS, on April 14, 2020, the City Planning Commission reviewed the Veterans Memorial Highway Urban Revitalization Plan and found it consistent with the goals and objectives of the City's *Bluffs Tomorrow: 2030 Plan* which is the general plan for the development of the City of Council Bluffs; and

WHEREAS, the current property is in poor condition and requires significant site improvements for redevelopment; and

WHEREAS, the proposed project will improve the aesthetics of Veterans Memorial Highway, a major thoroughfare in the City of Council Bluffs; and

WHEREAS, after careful study and consideration, this City Council finds that the development of the area is necessary in the interest of the public health, safety and/or welfare of the residents of the City.

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

That the City Council hereby approves the Veterans Memorial Highway Urban Revitalization Plan.

ADOPTED
AND
APPROVED May 4, 2020

Matthew J. Walsh Mayor

ATTEST: Jodi Quakenbush City Clerk

Case #URV-20-001

Illustration 2 – Amended Plan Resolution

RESOLUTION NO._____

A RESOLUTION OF NECESSITY AND INTENT TO AMEND THE VETERANS MEMORIAL HIGHWAY URBAN REVITALIZATION AREA.

WHEREAS, the subject area is an appropriate area as defined in Section 404.1.2 of the Iowa Code; and

WHEREAS, on May 4, 2020, City Council adopted resolution No. 20-118 approving the Veterans Memorial Highway Urban Revitalization Plan; and

WHEREAS, the Community Development Department recommends amending the plan to add an additional parcel to the revitalization area; and

WHEREAS, an amended plan must be developed in accordance with Section 404.2 of the Iowa Code; and

WHEREAS, thirty days' notice of public hearing is required to be sent to all property owners and occupants within the area; and

WHEREAS, notice of public hearing is also required in accordance with Section 362.3 of the Iowa Code.

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

That the development of the area is necessary in the interest of the City and the area substantially meets the criteria of Section 404.1.2.

BE IT FURTHER RESOLVED

That the City Council directs staff to prepare a final plan pursuant to Section 404.2 of the Iowa Code by no later than December 6, 2022.

BE IT FURTHER RESOLVED

That the City Council directs the City Clerk to set this matter for public hearing on January 9, 2023.

ADOPTED
AND
APPROVED: November 28, 2022

_____
Matthew J. Walsh Mayor

ATTEST: _____
Jodi Quakenbush City Clerk

LEGAL DESCRIPTION

The amended Veterans Memorial Highway Urban Revitalization Area is a tract of land containing parcel numbers 744412351011 and 744412351010, legally described as:

The North 660 feet of the NE ¼ SW ¼ SW ¼ of Section 12-74-44, except the West 250 feet, and the West 16.5 feet of the South 20 feet north of the highway in the SE ¼ SW ¼ of Section 12-74-44 and commencing at a point 660 feet East of the NW corner of the SW ¼ of the SW quarter of section 12, thence South 660 feet, thence East 250 feet, thence North 660 feet, thence West 250 feet to the place of beginning, subject to right of ways of public highway City of Council Bluffs, Pottawattamie County, Iowa

Illustration 3 shows the location and the boundary of the amended Veterans Memorial Highway Urban Revitalization Area, which consists of 8.04 acres.

Veterans Memorial Highway Urban Revitalization Area

Illustration 3 – Boundary

PROPERTY OWNERS AND ASSESSED VALUATIONS

The amended Veterans Memorial Highway Urban Revitalization Area will be comprised of 8.04 acres on two parcels of land owned by MemorialC2 Trust and McGregor Interests, Inc. McGregor Interests, Inc. has a purchase agreement with the current owner MemorialC2 Trust. MemorialC2 Trust currently operates Lake Manawa Mobile Home Park on the property.

Valuation was obtained from the records of the Pottawattamie County Assessor.

Parcel Number	Zoning	Owner & Address	Land Valuation	Dwelling Valuation	Building Valuation	Total Valuation
744412351011	I-2/ General Industrial District	McGregor Interests, Inc. 706 Veterans Memorial Hwy Council Bluffs, IA 51501	$763,500	$ -	$3,160,300	$3,923,800
744412351010	I-2/ General Industrial District	MemorialC2 Trust 800 Veterans Memorial Hwy Council Bluffs, IA 51501	$186,000	$48,700	$ -	$234,700

EXISTING ZONING AND PROPOSED LAND USE

Amended Veterans Memorial Highway Urban Revitalization Area is currently zoned I-2. The I-2/General Industrial District is intended to provide for the development of general manufacturing and industrial areas. This district is designed to accommodate industrial uses with moderate external effects.

The proposed principal use of the amended Veterans Memorial Highway Urban Revitalization Area is 'commercial storage,' which is a permitted use in an I-2/General Industrial District. A conditional use permit is required for the ancillary exterior storage component proposed by the McGregor Interests, Inc. The conditional use permit was granted by the Zoning Board of Adjustment on 1/21/2020.

Surrounding properties to the west, north and northeast are also zoned I-2. Properties east of the subject property are zoned C-2/Commercial District. The majority of properties south of Veterans Memorial Highway are also zoned C-2. There is also some land southeast of the subject property that is zoned R-4/High Density Multi-Family Residential District and R-3/Low Density Multi-Family Residential District. Illustration 4 depicts the existing on-site and surrounding zoning.

Existing land uses in the general vicinity include: a truck equipment supplier and dealer to the north; a tire shop to the east; a restaurant, a gas station, a clothing store, a medical clinic, a window supplier, a sign shop and an automotive repair shop to the southwest; and multiple residential uses to the west and across Veterans Memorial Highway to the

southeast. Additionally, two non-conforming residential structures abut the subject property to the southeast.

The future land use map of the *Bluffs Tomorrow: 2030 Comprehensive Plan* designates the subject property as Local Commercial. The plan defines "Local Commercial" as areas that include "*uses oriented primarily towards goods and services that meet the demand of Council Bluffs residents. These include grocery stores, convenience stores, pharmacies, banks, auto services, and small offices. They are typically located along visible corridors or at neighborhood centers, and may be configured as multi-tenant shopping centers or individual developments on smaller lots*."

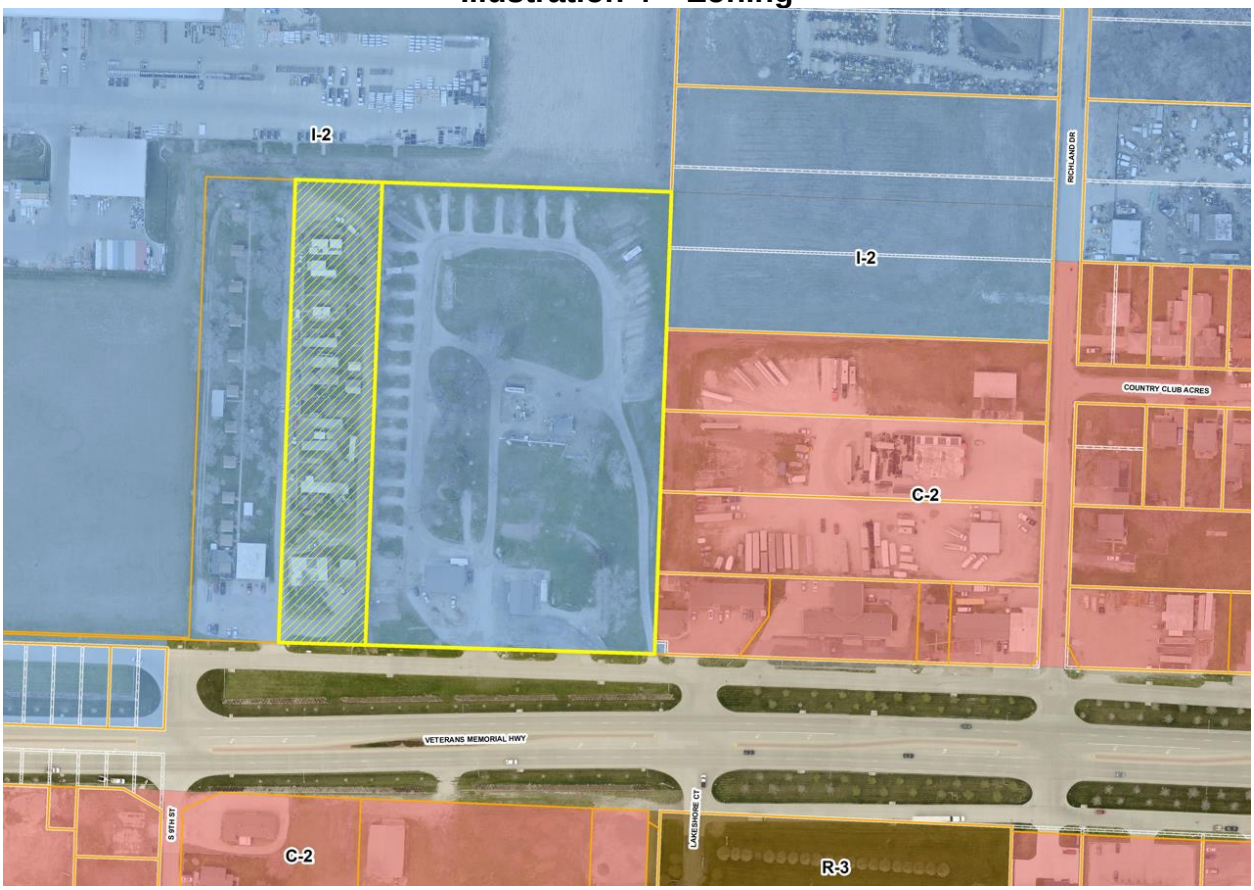
McGregor Interests, Inc. currently owns a portion of the subject property and has a purchase agreement with the current owner for the remaining portion of the subject property. McGregor Interests, Inc. intends to redevelop the additional portion to expand the current commercial storage facility to be known as 'Lockbox Storage.' The proposed location at 800 Veterans Memorial Highway will be one of the multiple locations of 'Lockbox Storage' across Iowa and Nebraska.

McGregor Interests, Inc. proposes to construct an additional storage building, approximately 23,300 square feet, on the subject property. The site can be accessed through two existing entrances located along the service road that runs parallel to Veterans Memorial Highway. Electronic gates will be installed at these two access points. The west entrance will serve as the main access point to the site while the gate at the east entrance will be locked at all times and only be used as an emergency access point. A keypad will allow customers to access the site through the main gate.

The site plan also shows thirty-three (33) total parking spaces will be provided on the subject property. McGregor Interests, Inc. proposes to provide exterior storage for boats, recreational vehicles (RVs), trailers and campers as an ancillary use.

Amended Veterans Memorial Highway Urban Revitalization Area

Illustration 4 – Zoning



PROPOSALS FOR IMPROVING OR EXPANDING CITY SERVICES

The amended Veterans Memorial Highway Urban Revitalization Area is currently served with all municipal services (sanitary sewer, water and storm sewer) and can be accessed by a dedicated roadway. Electricity and gas service are also available to the project. The project is located along Veterans Memorial Highway, which is adequate to handle the additional traffic generated by this proposed project.

RELOCATION PROVISIONS

The Amended Veterans Memorial Highway Urban Revitalization Area has one commercial entity operated by the current owner at the 800 Veterans Memorial Hwy location. The property owner will provide at least sixty (60) days' notice to all tenants to relocate. If either a residential or non-residential tenant relocation occurs as a result of actions taken by a developer qualifying for the benefits under the Urban Revitalization Act, the tenant shall receive compensation from the developer of one month's rent and actual moving expenses, provided that the tenant has occupied the same unit continuously for a one year period prior to the adoption of this plan. No federal funds shall be provided back to the owner. The City is not responsible for any relocation expenses or lawsuits that may arise from this relocation.

OTHER PUBLIC ASSISTANCE

The developer is requesting property tax exemption. The developer has not requested any additional public assistance.

APPLICABILITY AND TAX EXEMPTION SCHEDULE

1. Eligibility – The Amended Veterans Memorial Highway Urban Revitalization Plan will apply to commercial and industrial land uses.

Both new construction and rehabilitation of existing structures will be eligible for tax abatement under the plan. Rehabilitation may include renovation of a structure to bring it to code standards, remodeling and expansion.

2. Term - The term of this Plan shall be until December 31, 2042 or amended by City Council.

3. Commercial and Industrial

Ten Year - All eligible commercial and industrial real estate is eligible to receive a partial exemption from taxation on the actual value added by the improvements. The exemption is for a period of ten years. The amount of the partial exemption is equal to a percent of the actual value added by the improvements, determined as follows:

a. For the first year, eighty percent.
b. For the second year, seventy percent.
c. For the third year, sixty percent.
d. For the fourth year, fifty percent.
e. For the fifth year, forty percent.
f. For the sixth year, forty percent.
g. For the seventh year, thirty percent.
h. For the eighth year, thirty percent.
i. For the ninth year, twenty percent.
j. For the tenth year, twenty percent.

-OR-

Three Year - All eligible commercial and industrial real estate is eligible to receive a one hundred percent exemption from taxation on the actual value added by the improvements. The exemption is for a period of three years.

4. Improvements - Improvements shall include commercial and industrial rehabilitation and additions to existing structures as well as new construction on vacant land or on land with existing structures. In addition, all improvements must result in the following increases in value:

- For non-residential property, improvements must increase the actual value of the structure by at least 15%. If more than one building is located on the property, the 15% increase requirement applies only to the structure or structures upon which the improvements were made.

- If no structures were located on the property prior to the improvements, any improvements may qualify.

5. Actual Value - Actual value added by the improvements means the actual value added as of the first year for which the exemption was received. However, if such construction was begun one year prior to the adoption by the City of a Plan of Urban Revitalization pursuant to Chapter 404 of the Iowa Code, the value added by such construction, shall not constitute an increase in value for purposes of qualifying for the exemptions listed in this section.

APPLICATION AND REVIEW PROCESS

Upon completion of all improvements made within the assessment year for which the exemption is first claimed, the owner shall use the following procedure to secure the tax exemption.

1. The applicant requests a conference with the Community Development Department to discuss applicability of the request to established policy and review the application process.

2. The applicant completes the required forms and submits them along with all required data by February 1st to the Community Development Department. As part of the acceptance procedure, the Community Development Department shall review the submission for completeness. If there is a deficiency, the Department shall notify the applicant within seven (7) days.

3. The Department shall review the application according to the following criteria: 1) conformance with the Urban Revitalization Plan; 2) a finding that the site is within a designated area; 3) a finding that the work has been completed within the time required to qualify for abatement in the assessment year; 4) a finding that the application is consistent with Chapter 404 of the Iowa Code; and 5) a finding that the application is consistent with all applicable city codes and ordinances.

4. Upon review of the application, the Community Development Department will prepare a recommendation and schedule the proposal for City Council consideration.

5. By resolution, the City Council will accept the application and improvements as consistent with the intent of this plan and state law.

6. The City Council will then direct the Community Development Department to transmit a copy of the case file to the Assessor's Office by March 1st as required by Chapter 404 of the Iowa Code.

ATTACHMENT A

Find Property Res Sales Comm/Ind Sales

7444 12 351 011

--- Permanent Property Address ---	------- Mailing Address -------
TOMES INC	TOMES INC
706 VETERANS MEMORIAL HWY	706 VETERANS MEMORIAL HWY
COUNCIL BLUFFS, IA 51501	COUNCIL BLUFFS, IA 51501

District: 002 CO BLUFFS CITY/LC SCHOOL

========== REAL ESTATE TAXES ON TREASURER'S WEBPAGE ==========

Go to: https://www.municipalonlinepayments.com/pottawattamiecoia/tax/search/detail/744412351011

========== TAX DESCRIPTION* ==========

* Not to be used on legal documents

SECTION 12-74-44 EXC W250' N660' NE SW

========== ASSESSED VALUE ==========

* Class is for Assessment purposes only - Not Zoning

land	dwelling	land	building	total	ag acres	year	class*
$309,000	$0		$101,000	$410,000		2018	C
$309,000	$0		$101,000	$410,000		2019	C

========== EXEMPTIONS & CREDITS ==========

2018 BPTC $3,362.75

========== OWNERS ==========

* Book/Page LINKS TO RECORDER'S WEBPAGE

1 D TOMES INC book/page:

========== ASSESSMENT DATA ==========

PDF: 8 MAP: 21-8 C.B COMMERCIAL

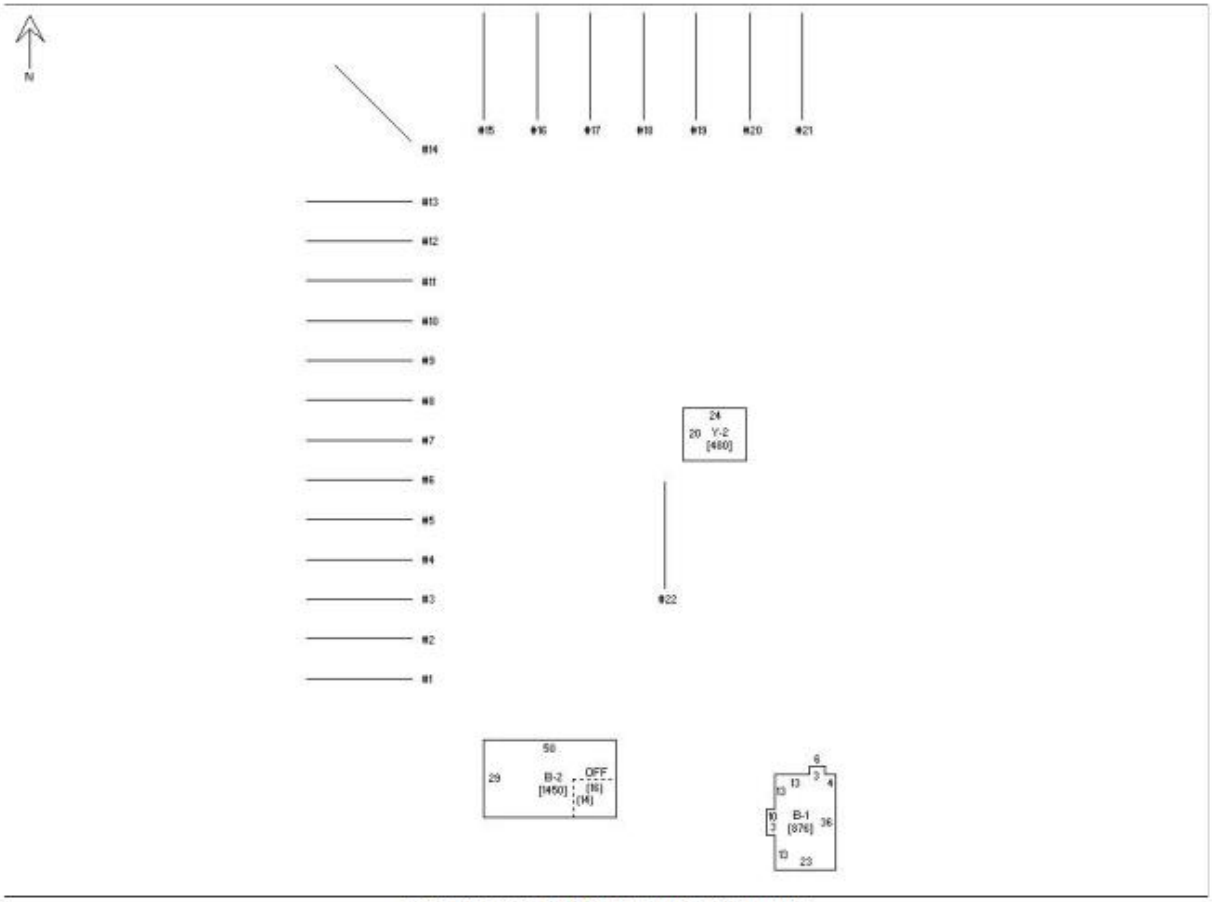
Interior Listing: Estimated Date Listed: 03/11/2016 JAC Date Reviewed: 03/06/2019 GMS

LAND.....269200 sqFt 6.18 acres

Commercial Building 1 of 3 -- Store - Retail Small (201)
DBA: TOMES RV PARK CAMPING
STRUCTURE....1 story 876 base SF 0 bsmt SF 876 gross SF
Year Built: 1930 Eff Year: 1930 Condition: Normal
VERTICALS....Foundation: C'Blk or Tile w/o Bsmt
Ext Wall: Alum - Frame
Int Wall: Panel - Softwood
Panel - Hardwood
Front/Doors: Incl. w / Base
Windows: Incl. w / Base
HORIZONTALS..Roof: Asph. Shingle/ Wood Dk
Ceiling: Suspended Blk-Fiber
Struc Floor: 4" R'Concrete
Floor Cover: Asphalt Tile
Partitions: Retail Store(Small)
Framing: Wood - Average
HVAC: Suspended Unit Heater (Gas)
Lighting: Retail Store (Small)
ADJUSTMENTS..A/C - deduct (876)

Commercial Building 2 of 3 -- Metal Shop - Steel Frame (605)
DBA: TOMES RV PARK CAMPING
STRUCTURE....1 story 1450 base SF 0 bsmt SF 1450 gross SF
Year Built: 1930 Eff Year: 1930 Condition: Normal
VERTICALS....Foundation: Reinforced Concrete w/o Bsmt
Ext Wall: Metal Sandwich Panel - 2"
Int Wall: Unfinished
Front/Doors: Incl. w / Base
Windows: Incl. w / Base
HORIZONTALS..Roof: Asph. Shingle/ Wood Dk
Ceiling: Metal Liner
Struc Floor: 6" R'Concrete
Partitions: Incl. w / Base
Framing: Steel - Average
HVAC: Suspended Unit Heater (Gas)
Lighting: Service Station With Bays
PLUMBING.....Toilet Room (2)
BLDG EXTRAS..2 Door: O.H. Door - Manual, 10 Ft Wide, 10 Ft High

Commercial Building 3 of 3 -- Manufactured Home Park (703)
DBA: TOMES RV PARK CAMPING
STRUCTURE....0 story 0 base SF 0 bsmt SF 0 gross SF
Year Built: 1962 Eff Year: 1962 Condition: Normal
YARD EXTRAS..Paving - Asphalt 16,500 SF, Asphalt Parking
Garage 480 SF, Frame
Fencing - Chain No Barbs, 6 Ft-Hgh, 1,475 LF, 0 LF-Gates



706 VETERANS MEMORIAL HWY, TOMES INC

706 VETERANS MEMORIAL HWY, TOMES INC, 1 03/11/2016

706 VETERANS MEMORIAL HWY, TOMES INC, 2 03/11/2016

Zoom Out Zoom In

1200ft x 1200ft

Click any parcel to go to its web page

See more maps at the County GIS Department.

As of: On Web Get Card

Find Property Res Sales Comm/Ind Sales

Attachment B

Find Property Res Sales Comm/Ind Sales

7444 12 351 011

--- Permanent Property Address ---	------- Mailing Address -------
MCGREGOR INTERESTS CO BLUFFS QOF LLC	MCGREGOR INTERESTS CO BLUFFS QOF LLC
706 VETERANS MEMORIAL HWY	11750 STONEGATE CIR
COUNCIL BLUFFS, IA 51501	OMAHA, NE 68164

District: 002 CO BLUFFS CITY/LC SCHOOL

REAL ESTATE TAXES ON TREASURER'S WEBPAGE

Go to: https://www.municipalonlinepayments.com/pottawattaniecoia/tax/search/detail/744412351011

TAX DESCRIPTION*

* Not to be used on legal documents

SECTION 12-74-44 EXC W250' N660' NE SW

ASSESSED VALUE

* Class is for Assessment purposes only – Not Zoning

		Current Value		
2022	Comm. Land	Improvement	Total	Class
Full Value	$763,500	$3,160,300	$3,923,800	C
Exempt	$0	$2,405,400	$2,405,400	C
Net Total	$763,500	$754,900	$1,518,400	C

		Prior Year Value		
2021	Comm. Land	Improvement	Total	Class
Full Value	$763,500	$1,228,600	$1,992,100	C
Exempt	$0	$982,900	$982,900	C
Net Total	$763,500	$245,700	$1,009,200	C

EXEMPTIONS/CREDITS APPLIED

OWNERS

* Book/Page LINKS TO RECORDER'S WEBPAGE

1 D MCGREGOR INTERESTS CO BLUFFS Q book/page: 2020/06754 D

SALES HISTORY

Sale Date	Amount	Code	Book/Page
05/21/2020	875000	D0	2020/06754

ASSESSMENT DATA

PDF: 8 MAP: 21-8 C.B COMMERCIAL

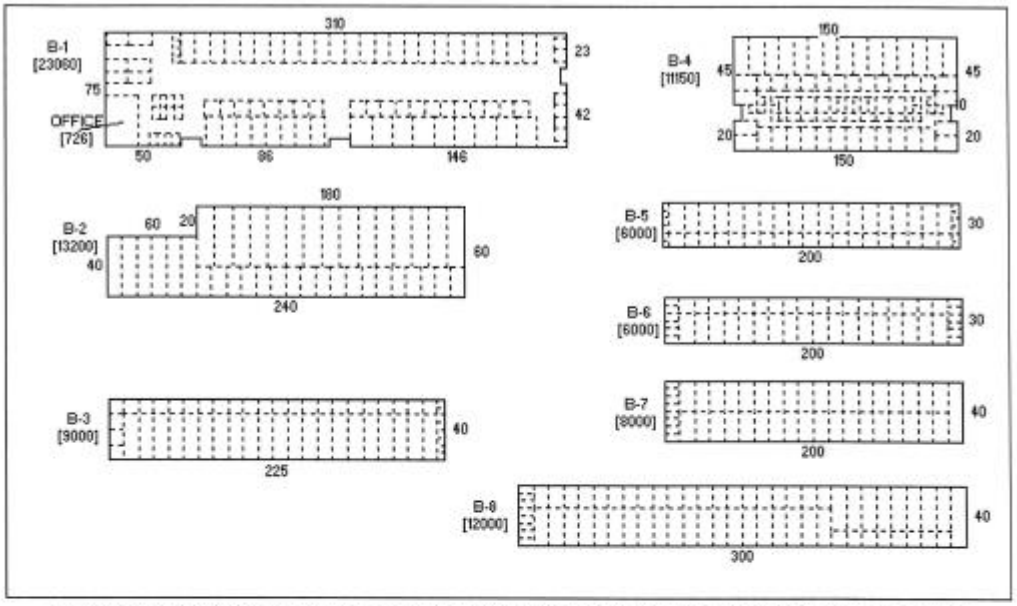
Date Reviewed: 02/16/22 MEC

LAND.....269200 sqFt 6.18 acres

Commercial Building 1 of 8 -- Mini - Storage (716)
DBA: LOCKBOX STORAGE
STRUCTURE....1 story 23060 base SF 0 bsmt SF 23060 gross SF
Year Built: 2021 Eff Year: 2021 Condition: Normal
VERTICALS....Ext Wall: Metal/ Steel (51'-79' Wide)
Front/Doors: Incl. w / Base
HORIZONTALS..Roof: Metal/ Frame (51'-79' Wide)
Struc Floor: 8" R'Concrete
Partitions: Incl. w / Base
Framing: Steel - Light
PLUMBING.....Toilet Room (1)
Rough Plumbing (1)
ADJUSTMENTS..Electrical - external lighting (23060)
Partition - metal (1660)
Office-internal with Heat & A/C (726)
A/C - Add (22334)
Heat - -Indust Space (22334)
Electric (22334)

```
BLDG EXTRAS..22 Door: Mini Storage O.H., 4 Ft Wide, 8 Ft High
             64 Door: Mini Storage O.H., 8 Ft Wide, 8 Ft High

Commercial Building 2 of 8 -- Mini - Storage (716)
DBA: LOCKBOX STORAGE
STRUCTURE....1 story   13200 base SF   0 bsmt SF   13200 gross SF
             Year Built: 2021    Eff Year: 2021    Condition: Normal
VERTICALS....Ext Wall:    Metal/ Steel (51'-79' Wide)
             Front/Doors: Incl. w / Base
HORIZONTALS..Roof:        Metal/ Frame (51'-79' Wide)
             Struc Floor: 8" R'Concrete
             Partitions:  Incl. w / Base
             Framing:     Steel - Light
ADJUSTMENTS..Electrical - external lighting (13200)
             Partition - metal (1320)
BLDG EXTRAS..24 Door: Mini Storage O.H., 8 Ft Wide, 8 Ft High
             15 Door: Mini Storage O.H., 10 Ft Wide, 14 Ft High

Commercial Building 3 of 8 -- Mini - Storage (716)
DBA: LOCKBOX STORAGE
STRUCTURE....1 story   9000 base SF   0 bsmt SF   9000 gross SF
             Year Built: 2021    Eff Year: 2021    Condition: Normal
VERTICALS....Ext Wall:    Metal/ Steel (< 50' Wide)
             Front/Doors: Incl. w / Base
HORIZONTALS..Roof:        Metal/ Frame (< 50' Wide)
             Struc Floor: 8" R'Concrete
             Partitions:  Incl. w / Base
             Framing:     Steel - Light
ADJUSTMENTS..Electrical - external lighting (9000)
             Partition - metal (1155)
BLDG EXTRAS..8 Door: Mini Storage O.H., 4 Ft Wide, 8 Ft High
             46 Door: Mini Storage O.H., 8 Ft Wide, 8 Ft High

Commercial Building 4 of 8 -- Mini - Storage (716)
DBA: LOCKBOX STORAGE
STRUCTURE....1 story   11150 base SF   0 bsmt SF   11150 gross SF
             Year Built: 2021    Eff Year: 2021    Condition: Normal
VERTICALS....Ext Wall:    Metal/ Steel (51'-79' Wide)
             Front/Doors: Incl. w / Base
HORIZONTALS..Roof:        Metal/ Frame (51'-79' Wide)
             Struc Floor: 8" R'Concrete
             Partitions:  Incl. w / Base
             Framing:     Steel - Light
ADJUSTMENTS..Electrical - external lighting (11150)
             Partition - metal (1240)
BLDG EXTRAS..35 Door: Mini Storage O.H., 4 Ft Wide, 8 Ft High
             27 Door: Mini Storage O.H., 8 Ft Wide, 8 Ft High

Commercial Building 5 of 8 -- Mini - Storage (716)
DBA: LOCKBOX STORAGE
STRUCTURE....1 story   6000 base SF   0 bsmt SF   6000 gross SF
             Year Built: 2021    Eff Year: 2021    Condition: Normal
VERTICALS....Ext Wall:    Metal/ Steel (< 50' Wide)
             Front/Doors: Incl. w / Base
HORIZONTALS..Roof:        Metal/ Frame (< 50' Wide)
             Struc Floor: 8" R'Concrete
             Partitions:  Incl. w / Base
             Framing:     Steel - Light
ADJUSTMENTS..Electrical - external lighting (6000)
             Partition - metal (840)
BLDG EXTRAS..12 Door: Mini Storage O.H., 4 Ft Wide, 8 Ft High
             38 Door: Mini Storage O.H., 8 Ft Wide, 8 Ft High

Commercial Building 6 of 8 -- Mini - Storage (716)
DBA: LOCKBOX STORAGE
```

```
STRUCTURE....1 story   6000 base SF   0 bsmt SF   6000 gross SF
             Year Built: 2021    Eff Year: 2021    Condition: Normal
VERTICALS....Ext Wall:    Metal/ Steel (< 50' Wide)
             Front/Doors: Incl. w / Base
HORIZONTALS..Roof:        Metal/ Frame (< 50' Wide)
             Struc Floor: 8" R'Concrete
             Partitions:  Incl. w / Base
             Framing:     Steel - Light
ADJUSTMENTS..Electrical - external lighting (6000)
             Partition - metal (850)
BLDG EXTRAS..12 Door: Mini Storage O.H., 4 Ft Wide, 8 Ft High
             36 Door: Mini Storage O.H., 8 Ft Wide, 8 Ft High

Commercial Building 7 of 8 -- Mini - Storage (716)
DBA: LOCKBOX STORAGE
STRUCTURE....1 story   8000 base SF   0 bsmt SF   8000 gross SF
             Year Built: 2020    Eff Year: 2020    Condition: Normal
VERTICALS....Ext Wall:    Metal/ Steel (< 50' Wide)
             Front/Doors: Incl. w / Base
HORIZONTALS..Roof:        Metal/ Stl/ Insul (< 50' Wide)
             Struc Floor: R' Concrete
             Framing:     Steel - Light
ADJUSTMENTS..Electrical - external lighting (8000)
             Partition - metal (1010)
BLDG EXTRAS..8 Door: Mini Storage O.H., 4 Ft Wide, 8 Ft High
             38 Door: Mini Storage O.H., 8 Ft Wide, 8 Ft High

Commercial Building 8 of 8 -- Mini - Storage (716)
DBA: LOCKBOX STORAGE
STRUCTURE....1 story   12000 base SF   0 bsmt SF   12000 gross SF
             Year Built: 2020    Eff Year: 2020    Condition: Normal
VERTICALS....Ext Wall:    Metal/ Steel (< 50' Wide)
             Front/Doors: Incl. w / Base
HORIZONTALS..Roof:        Metal/ Stl/ Insul (< 50' Wide)
             Struc Floor: R' Concrete
             Framing:     Steel - Light
ADJUSTMENTS..Electrical - external lighting (12000)
             Partition - metal (1510)
BLDG EXTRAS..8 Door: Mini Storage O.H., 4 Ft Wide, 8 Ft High
             44 Door: Mini Storage O.H., 8 Ft Wide, 8 Ft High
YARD EXTRAS..Paving - Concrete 97,700 SF, Concrete Parking
             Fencing - Wood 8 Ft High, 1,320 LF, Average, 0 LF gate
```



706 VETERANS MEMORIAL HWY, MCGREGOR INTERESTS CO BLUFFS QOF LLC

706 VETERANS MEMORIAL HWY, MCGREGOR INTERESTS CO BLUFFS QOF LLC, 1 09/20/2021

706 VETERANS MEMORIAL HWY, MCGREGOR INTERESTS CO BLUFFS QOF LLC, 2 09/20/2021

706 VETERANS MEMORIAL HWY, MCGREGOR INTERESTS CO BLUFFS QOF LLC, 3 09/20/2021

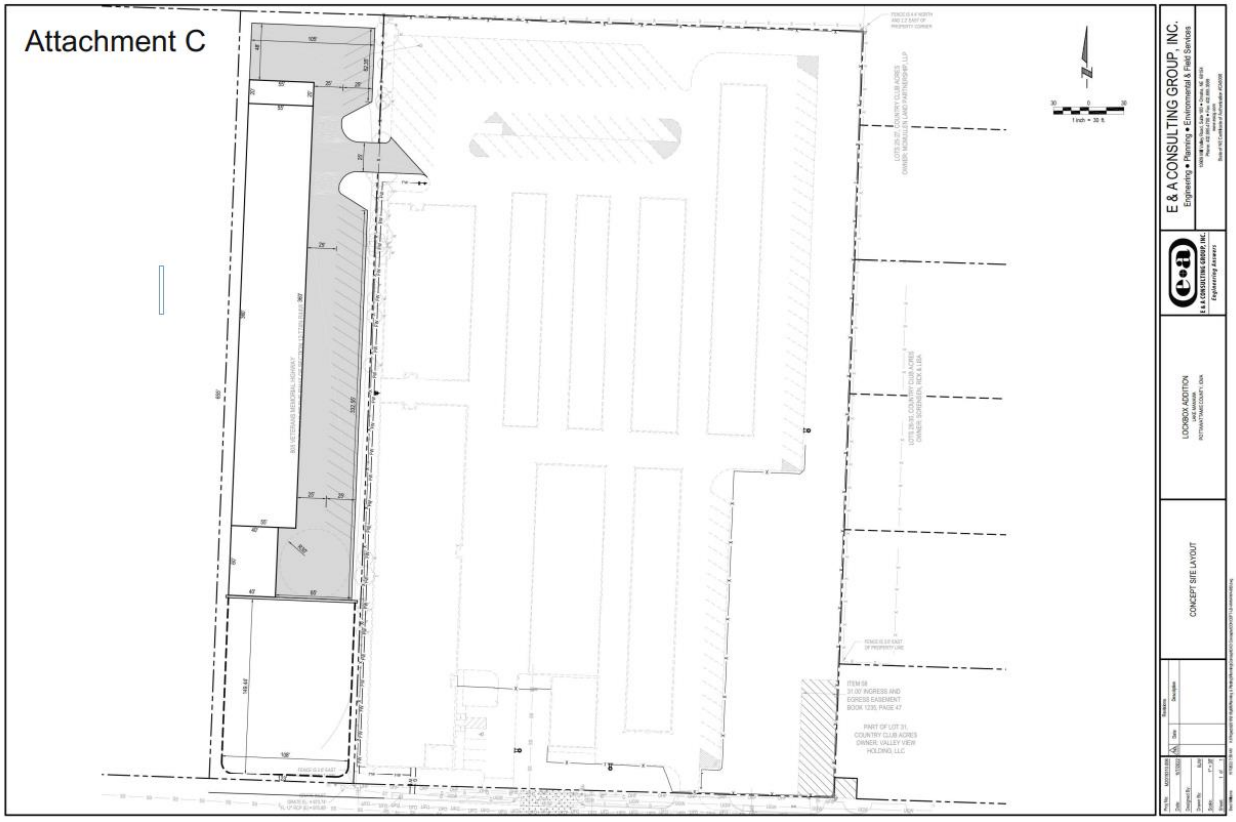
706 VETERANS MEMORIAL HWY, MCGREGOR INTERESTS CO BLUFFS QOF LLC, 4 09/20/2021

Zoom Out Zoom In

1200ft x 1200ft
Click any parcel to go to its web page
Spring 2022 aerial
See more maps at the County GIS Department.

As of: On Web Get Card

Find Property Res Sales Comm/Ind Sales


Attachment C
E & A CONSULTING GROUP, INC.
Engineering ● Planning ● Environmental & Field Services
LOCKBOX ADDITION
CONCEPT SITE LAYOUT
E & A CONSULTING GROUP, INC.
Engineering Answers
1 inch = 30 ft
ITEM 08
31.00' INGRESS AND
EGRESS EASEMENT
BOOK 1230, PAGE 47
PART OF LOT 31,
COUNTRY CLUB ACRES
OWNER: VALLEY VIEW
HOLDING, LLC

RESOLUTION NO. 22-298

A RESOLUTION OF NECESSITY AND INTENT TO AMEND THE VETERANS MEMORIAL HIGHWAY URBAN REVITALIZATION AREA.

WHEREAS, the subject area is an appropriate area as defined in Section 404.1.2 of the Iowa Code; and

WHEREAS, on May 4, 2020, City Council adopted resolution No. 20-118 approving the Veterans Memorial Highway Urban Revitalization Plan; and

WHEREAS, the Community Development Department recommends amending the plan to add an additional parcel to the revitalization area; and

WHEREAS, an amended plan must be developed in accordance with Section 404.2 of the Iowa Code; and

WHEREAS, thirty days' notice of public hearing is required to be sent to all property owners and occupants within the area; and

WHEREAS, notice of public hearing is also required in accordance with Section 362.3 of the Iowa Code.

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

That the development of the area is necessary in the interest of the City and the area substantially meets the criteria of Section 404.1.2.

BE IT FURTHER RESOLVED

That the City Council directs staff to prepare a final plan pursuant to Section 404.2 of the Iowa Code by no later than December 6, 2022.

BE IT FURTHER RESOLVED

That the City Council directs the City Clerk to set this matter for public hearing on January 9, 2023.

ADOPTED
AND
APPROVED: November 28, 2022

Matthew J. Walsh Mayor

ATTEST:

Jodi Quakenbush City Clerk

Council Communication

Department: Finance
Case/Project No.:
Submitted by: Finance Department / Danielle Bemis

City Street Financial Report
ITEM 3.I.

Council Action: 11/28/2022

Description

City Street Financial Report ending June 30, 2021

Background/Discussion

The City of Council Bluffs is required to prepare and submit to the Iowa Department of Transportation an annual report showing all receipts and expenditures for road maintenance and road construction. All revenue and expenditures are summarized on the City Street Financial Report for fiscal year 2022.

The report is no longer required to be approved by the Council by resolution, however, it does need to be presented at a council meeting and submitted to the Iowa Department of Transportation by December 1, 2021.

Recommendation

ATTACHMENTS:

Description	Type	Upload Date
Street Finance Report FY22 (RF)	Other	11/15/2022

IOWADOT

Bureau of Local Systems

Ames, IA 50010

City Street Finance Report

Fiscal Year 2022

Council Bluffs

11/15/2022 9:55:54 AM

Expenses

	General Fund Streets (001)	Road Use (110)	Other Special Revenues	Debt Service (200)	Capitial Projects (300)	Utilities (600 & U0)	Grand Total
Salaries - Roads/Streets	$161,324	$2,946,011					$3,107,335
Benefits - Roads/Streets	$63,140	$1,566,503					$1,629,643
Training & Dues		$23,419					$23,419
Building & Grounds Maint. & Repair		$50,757					$50,757
Vehicle & Office Equip Operation and Repair		$401,352					$401,352
Operational Equipment Repair		$385,811					$385,811
Other Utilities		$494,245					$494,245
Engineering		$97,737			$1,815,270		$1,913,007
Payments to othe agencies		$325					$325
Printing		$1,353					$1,353
Rents & Leases		$53,398					$53,398
Street Maintenance Expense		$760,464					$760,464
Technology Expense		$6,299					$6,299
Other Contract Services		$1,215					$1,215
Minor Equipment Purchases		$1,884					$1,884
Other Equipment		$1,803					$1,803
Office Supplies		$2,780					$2,780

IOWADOT

Bureau of Local Systems

Ames, IA 50010

City Street Finance Report

Fiscal Year 2022

Council Bluffs

11/15/2022 9:55:54 AM

	General Fund Streets (001)	Road Use (110)	Other Special Revenues	Debt Service (200)	Capitial Projects (300)	Utilities (600 & U0)	Grand Total
Operating Supplies		$88,913					$88,913
Postage & Safety		$322					$322
Other Supplies		$890					$890
Heavy Equipment		$33,647					$33,647
Office Equipment		$128					$128
Other Capital Equipment		$62,551					$62,551
Right-of-Way					$10,416		$10,416
Storm Drainage					$1,541,169		$1,541,169
Street - New Roadway					$9,598,642		$9,598,642
Street - Preservation		$1,169,161					$1,169,161
Principal Payment				$1,650,465			$1,650,465
Interest Payment				$527,626			$527,626
Transfer Out		$204,886	$5,467,828				$5,672,714
Snow Removal		$95,246					$95,246
Depreciation & Building Utilities		$3,048					$3,048
Snow Removal Salaries		$171,866					$171,866
Total	$224,464	$8,626,014	$5,467,828	$2,178,091	$12,965,497		$29,461,894

Revenue

	General Fund Streets (001)	Road Use (110)	Other Special Revenues	Debt Service (200)	Capitial Projects (300)	Utilities (600 & U0)	Grand Total
Levied on Property	$224,464		$0	$2,178,091			$2,402,555
Other Taxes (Hotel, LOST)					$8,139,480		$8,139,480
Licenses & Permits		$75,930					$75,930
Interest		$5,950					$5,950
Rents & Leases		$6,025					$6,025
Federal Grants					$1,758,356		$1,758,356
State Revenues - Road Use Taxes		$8,666,750					$8,666,750
Other State Grants - IDOT					$234,668		$234,668
Local Contributions					$103,791		$103,791
Charges/fees		$64,710				$0	$64,710
Contributions					$1,759,244		$1,759,244
Transfer In					$5,672,714		$5,672,714
Total	$224,464	$8,819,365	$0	$2,178,091	$17,668,253	$0	$28,890,173

Bonds/Loans

Bond/Loan Description	Principal Balance As of 7/1	Total Principal Paid	Total Interest Paid	Principal Roads	Interest Roads	Principal Balance As of 6/30
2020B	$3,385,000	$240,000	$143,600	$149,834	$89,651	$3,145,000
2020A	$5,330,000	$790,000	$266,500	$356,474	$120,253	$4,540,000
2019A	$5,330,000	$490,000	$142,750	$308,257	$89,803	$4,840,000
2014A	$3,235,000	$610,000	$82,588	$366,000	$49,553	$2,625,000
2016A	$5,110,000	$985,000	$127,750	$59,100	$7,665	$4,125,000
2017A	$7,430,000	$505,000	$229,825	$70,700	$32,176	$6,925,000
2018A	$17,675,000	$1,790,000	$729,081	$340,100	$138,525	$15,885,000

Equipment

Description	Model Year	Usage Type	Cost	Purchased Status
Case Articulated Wheel Loader	2016	Purchased	$157,212	No Change
Komatsu GD655-5 Motor Grader	2014	Purchased	$200,278	No Change
Case Articulated Wheel Loader	2016	Purchased	$154,271	No Change
John Deere 672G AWD Motor Grader	2016	Purchased	$218,727	No Change
Elgin MegaWind Vacuum Sweeper	2013	Purchased	$242,506	No Change
Freightliner Flusher Truck FL70	2000	Purchased	$76,705	No Change
Addco Message Board	2012	Purchased	$8,550	No Change
Addco Messageboard	2012	Purchased	$8,550	No Change
Arrow Board Trailer (Solar Powered)	2004	Purchased	$5,297	No Change
Addco D.O.T. Sign Trailer (Solar powered)	2004	Purchased	$26,177	No Change
Addco D.O.T. Sign Trailer (Solar Powered)	2004	Purchased	$26,177	No Change
Portable Signal Light (Master)	2010	Purchased	$29,975	No Change
Portable Signal Light (Slave)	2010	Purchased	$29,775	No Change
LeRoi Air Compressor 185 CFM	1991	Purchased	$8,750	No Change
Towmaster TC14 Deck Over Trailer	2014	Purchased	$8,542	No Change
Lowboy Trailer w/ Directional Arrow	1984	Purchased	$7,000	No Change
JCB Backhoe	2012	Purchased	$100,900	No Change
Tennant Sweeper M6500	1990	Purchased	$19,783	No Change
Sullair S185 Compressor	2014	Purchased	$20,326	No Change
KM T-2 Asphalt Recycler	2015	Purchased	$83,170	No Change
Elgin Pelican Sweeper	2020	Purchased	$222,097	No Change

Description	Model Year	Usage Type	Cost	Purchased Status
Bobcat S62 Skid Steer Loader	2021	Purchased	$30,188	Traded
Bobcat Skid Steer Loader	2020	Purchased	$47,075	No Change
Bobcat S76 Skid Steer Loader	2020	Purchased	$47,075	No Change
Bobcat T770 Compact Track Loader	2020	Purchased	$62,443	No Change
International HV607 Single Axle Dump Truck	2020	Purchased	$182,750	No Change
Chevrolet Silverado 1500 Double Cab 4X4	2021	Purchased	$25,038	No Change
Ford F-150 1/2 Ton Pickup Supercab 4X4 - 5.0L	2014	Purchased	$24,280	No Change
Chevrolet Silverado 2500 4X4	2021	Purchased	$51,945	No Change
Chevy Tahoe 4WD SUV - 5.3L	2021	Purchased	$36,799	Traded
Ford F-350 1 Ton Pickup - 5.4L	2009	Purchased	$26,500	No Change
Sullivan Palatek Air Comressor 185 CFM	2007	Purchased	$13,989	No Change
International 7400 SBA 4x2 Dump Truck	2017	Purchased	$161,070	No Change
International Dump Truck with Wing Plow	2004	Purchased	$86,094	No Change
International 7400 4x4 Dump Truck	2018	Purchased	$211,266	No Change
International 7400 Dump Truck (Belly/Tank) - 7.6L	2006	Purchased	$99,800	No Change
International 7400 Dump Truck - 7.6L	2007	Purchased	$94,037	No Change
International Workstar 7400 Hook Truck - 7.6L	2013	Purchased	$185,229	No Change
International Dump Truck	2011	Purchased	$136,680	No Change
International Workstar 7400 Dump Truck - 7.6L	2013	Purchased	$194,088	No Change
International 7400 Dump Truck	2016	Purchased	$162,573	No Change
International Workstar 7400 Hook Truck - 7.6L	2010	Purchased	$119,384	No Change
International 7400 Dump Truck	2015	Purchased	$158,730	No Change
International Dump Truck	2011	Purchased	$135,451	No Change

Description	Model Year	Usage Type	Cost	Purchased Status
International 7600 6x4 Dump Truck	2018	Purchased	$193,342	No Change
International 7600 6x4 Tandem Dump Truck	2015	Purchased	$262,944	No Change
Chevy Silverado Extended Cab 4x4 - 5.3L	2011	Purchased	$26,065	No Change
GMC Classic Sierra Crew Cab - 5.3L	2007	Purchased	$26,027	No Change
Ford F-350 Chassis Cab / Flatbed	2001	Purchased	$21,359	No Change
Chevy Silverado 1500 Crew Cab 4x4 - 5.3L	2020	Purchased	$30,681	No Change
Case DV36 Double Steel Roller	2018	Purchased	$54,969	No Change
Stepp 3 Yd Asphalt Pre-Heater	2010	Purchased	$35,415	No Change
26" Husqvarna Concrete Saw	2008	Purchased	$10,968	No Change
Felling 50' Deckover Tilt Trailer	2015	Purchased	$41,165	No Change
26" Diamond Products Core Cut Walk Behind Saw	2019	Purchased	$9,985	Sold
Coneqtec Asphalt Cold Planer	2015	Purchased	$13,916	No Change
E55 Excavator Breaker	2015	Purchased	$6,352	No Change
Bobcat 24" Planer (Concrete / Asphalt)	2005	Purchased	$11,000	No Change
Ford F-350 1 Ton Pickup 4x2 - 6.2L	2014	Purchased	$41,955	No Change
Werk-Brau 3.5 yd. Grapple Bucket	2016	Purchased	$10,000	No Change
Minnich Dowel Drill A-1-48	2009	Purchased	$7,755	No Change
Minnich Dowel Drill	2007	Purchased	$6,559	No Change
Towmaster Roller Trailer	1999	Purchased	$7,105	No Change
Towmaster Trailer	2009	Purchased	$5,465	No Change
Metal Forms Concrete Screed	2010	Purchased	$10,560	No Change
Bobcat Breaker with Nail Point	2019	Purchased	$6,839	No Change
Towmaster T16 Trailer / Asphalt Paver	1990	Purchased	$7,235	No Change

Description	Model Year	Usage Type	Cost	Purchased Status
Monroe Spray Tank 1200 Gal / 418 Dump	1990	Purchased	$7,300	Traded
Cimline Crack Sealer	2011	Purchased	$39,950	No Change
ARS 4'x4' Split-Channel Portable Asphalt Heater	2014	Purchased	$6,000	No Change
Falcon 4 Ton Asphalt Recycler	2012	Purchased	$39,591	Sold
LeeBoy 8515C Asphalt Paver	2015	Purchased	$186,750	No Change
Minnich Pin Drill A1	2007	Purchased	$7,755	No Change
Ford F-150 1/2 Ton Pickup - 4.6L	2006	Purchased	$26,040	No Change
Ford Ranger Truck - 2.3L	2008	Purchased	$15,051	No Change
International 7600 Tandem Dump Truck	2017	Purchased	$253,103	No Change
International 7600 6x4 Tandem Dump Truck	2017	Purchased	$253,103	No Change
International HV607 Single Axle Dump Truck	2019	Purchased	$176,500	No Change
International Workstar 7400 Dump Truck - 7.6L	2013	Purchased	$137,019	No Change
International 7600 6x4 Dump Truck	2018	Purchased	$122,689	No Change
Broce Sweeper - Broom	2018	Purchased	$56,857	No Change
Case Tractor Loader	2016	Purchased	$77,599	No Change
Bobcat E-55 Compact Excavator	2015	Purchased	$66,927	No Change
Case DV45 Double Steel Roller	2019	Purchased	$65,900	No Change
International Flatbed Truck	2008	Purchased	$64,500	No Change
Chevy Silverado 4x4 1500 - 4.8L	2004	Purchased	$16,348	No Change
Stepp SPH Asphalt Hot Box	2008	Purchased	$17,935	No Change
Ford F-150 1/2 Ton Pickup - 5.0L	2012	Purchased	$23,082	No Change
Ford F-250 Super Duty 4x4 6.8L	1999	Purchased	$33,088	Traded
Dodge Ram 4500HD - 6.7L	2012	Purchased	$36,893	No Change

IOWADOT

Bureau of Local Systems

Ames, IA 50010

City Street Finance Report

Fiscal Year 2022

Council Bluffs

11/15/2022 9:55:54 AM

Description	Model Year	Usage Type	Cost	Purchased Status
Ford F-150 1/2 Ton Pickup Supercab 4x4 - 5.0L	2014	Purchased	$24,280	No Change
Chevy Express G2500 3/4 Ton Van - 4.8L	2003	Purchased	$15,675	Sold
Chevy Silverado 1500 1/2 Ton Pickup 4x4 - 5.3L	2015	Purchased	$28,591	No Change
Chevrolet Colorado Ext. Cab Pickup - 2.5L	2016	Purchased	$23,924	No Change
Dodge Ram 4500HD - 6.7L	2012	Purchased	$36,893	No Change
Ford F-350 One Ton Flatbed Truck	2017	Purchased	$58,999	No Change
Ford F-150 1/2 Ton 4x4 Pickup - 4.6L	2003	Purchased	$18,461	No Change
Isuzu NRR Tilt Cab Truck Mounted Paint Striper - 5.2L	2012	Purchased	$177,154	No Change
Ford F-250 Utility 6.8	1999	Purchased	$16,976	No Change
Chevy Silverado 1500 1/2 Ton Crew Cab LT - 5.3L	2014	Purchased	$31,594	No Change
Ford F-350 1 Ton Pickup DRW 4x4 - 6.2L	2014	Purchased	$47,504	No Change
Ford F-550 40' Aerial Platform Truck	2016	Purchased	$124,374	No Change
Chevrolet 5500 4X4 Service Truck	2020	Purchased	$122,514	New
Mack CH613 Tandem Semi-Tractor - 12.0L	1995	Purchased	$9,500	New
Graco Line Driver HD	2017	Purchased	$5,885	New
K&M Asphalt Hotbox 4 Ton	2021	Purchased	$46,824	New
Concrete Curb Roller	2021	Purchased	$5,659	New
Husqvarna 26" Walk behind Saw	2022	Purchased	$29,176	New

Street Projects

Project Description	Contract Price	Final Price	Contractor Name
Extend Eastern Hills Dr from Cedarbrook Dr to just north of Cedar Lane and reconstruction of Cedar Lane from 700 feet west of Eastern Hills Dr to Eastern Hills Dr. .79 miles	$1,507,332	$1,522,464	Bluffs Paving and Utility Co Inc
Reconstuct Oakland Dr from Military Ave to Lafayette Ave and Lafayette Ave from Oakland Dr to Oakland Ave. Storm sewer from Military Ave north of Ave G to Curtis St. .30 miles	$1,181,551	$1,107,271	Carley Construction
Reconstruct 225 feet of 32nd Ave from S. Expressway to the east. Construct sidewalk on south side of 32nd Ave from S. Expressway to Manawa Centre Dr and along west side of Manawa Centre Dr from 32nd Ave to existing bus stop just north of Menard's driveway. Traffic signal update at 32nd Ave. .29 miles	$414,838	$422,029	Compass Utility
Reconstruct from 675 Franklin Ave to Hazel St, Hazel St from Franklin Ave to Iowa Ave, Charles St from Grace St to Hazel St and Iowa Ave from 510 Iowa Ave to Hazel St. .29 miles	$1,170,684	$1,098,290	Carley Construction
2100 Block Ave H and sewer in N. 22nd St. from the alley to Ave H. .08 miles	$781,015	$724,969	Carley Construction

IOWADOT

Bureau of Local Systems

Ames, IA 50010

City Street Finance Report

Fiscal Year 2022

Council Bluffs

11/15/2022 9:55:54 AM

Summary

	General Fund Streets (001)	Road Use (110)	Other Special Revenues	Debt Service (200)	Capitial Projects (300)	Utilities (600 & U0)	Grand Total
Begining Balance	$0	$5,837,046	$5,467,828	$0	$27,386,410	$0	$38,691,284
SubTotal Expenses (-)	$224,464	$8,421,128		$2,178,091	$12,965,497		$23,789,180
Transfers Out (-)		$204,886	$5,467,828				$5,672,714
Subtotal Revenues (+)	$224,464	$8,819,365	$0	$2,178,091	$11,995,539	$0	$23,217,459
Transfers In (+)					$5,672,714		$5,672,714
Ending Balance	$0	$6,030,397	$0	$0	$32,089,166	$0	$38,119,563

Resolution Number:

Execution Date: Monday, November 28, 2022

Signature: Lynn Rutledge

Council Communication

Department: Mayor
Case/Project No.: Boards and Commissions
Submitted by: Matt Walsh

Boards and Commissions
ITEM 3.J.

Council Action: 11/28/2022

Description

Board of Water Works Trustees

Background/Discussion

With City Council concurrence, I would like to make the following appointment:

Appoint the following with term expiring 06/30/2028:

Pat Miller
34 Parkwild Dr.
Council Bluffs, IA 51503

Recommendation

Council Communication

Department: Public Works Admin
Case/Project No.: CD23-03A & B
Submitted by: Matthew Cox, Public Works Director & Courtney Harter, Community Development Director

Resolution 22-299
ITEM 4.A.

Council Action: 11/28/2022

Description

Resolution approving the plans and specifications for the Spin Lofts – 21st Avenue Improvements. Project # CD23-03A & B

Background/Discussion

In 2009, the City began acquisition and demolition of structures on the three acres of land located at 21st Avenue and South 6th Street utilizing Community Development Block Grant (CDBG) and Neighborhood Stabilization (NSP) funds. The properties were considered blighted and/or in foreclosure at the time.

In January 2022, the City issued an updated RFP for the redevelopment of the three acres. Arch Icon submitted a two phase proposal called Spin Lofts with a total of 80 multi-family rental units to be built over a period of up to four years. Phase 1 includes a 4-story building with 50 units with a unit mix of one-, two- and four- bedrooms for low to moderate income families in the area.

On March 10, 2022, the City was awarded a grant from U.S. Representative Axne in the amount of $904,336. The City applied for the funding to construct improvements at 21st Avenue and South 6th Street, making it ready for development. The project will reconstruct 21st Avenue, east of South 6th Street and prepare the site for building construction, including a significant volume of fill to raise the site approximately three feet.

Initially, Project A and Project B were designed as separate projects. On September 29, 2022, only one non-responsive bid was received for the fill and sanitary sewer improvement portion of the project. After rejecting that bid, it was decided to combine the two scopes into a single bid package to attract more interest and hopefully receive competitive bids. This project includes both the site improvements and the paving and storm sewer for 21st Avenue.

The project was included in the FY23 CIP with a budget of $900,000 in Federal funds.

The project schedule is as follows:

Hold Public Hearing	November 28, 2022
Bid Letting	January 5, 2023
Award	January 23, 2023
Construction Start	End of March 2023

Recommendation

Approval of this resolution to approve the plans and specifications. This project will provide the fill and sanitary sewer for the redevelopment site and reconstruct 21st Avenue, east of South 6th Street.

ATTACHMENTS:

Description	Type	Upload Date
Resolution 22-299	Resolution	11/22/2022

R E S O L U T I O N
NO 22-299

RESOLUTION APPROVING THE PLANS, SPECIFICATIONS, FORM OF CONTRACT AND COST ESTIMATE FOR THE SPIN LOFTS – 21ST AVENUE IMPROVEMENTS PROJECT #CD23-03A & B

WHEREAS, the plans, specifications, form of contract and cost estimate are on file in the office of the City Clerk of the City of Council Bluffs, Iowa for the Spin Lofts – 21st Avenue Improvements, and

WHEREAS, A Notice of Public Hearing was published as required by law, and a public hearing was held on November 28, 2022.

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 are hereby approved for the Spin Lofts – 21st Avenue Improvement project.

ADOPTED
AND
APPROVED November 28, 2022

_____
Matthew J. Walsh, Mayor

ATTEST: _____
Jodi Quakenbush, City Clerk

Council Communication

Department: Community Development
Case/Project No.: URV-22-009
Submitted by: Housing & Economic Development

Resolution 22-300
ITEM 4.B.

Council Action: 11/28/2022

Description

Resolution approving the Urban Revitalization Plan for the Black Squirrel Flats Urban Revitalization Area. Location: Undeveloped property located at the northwest corner of S. 34th Street and 12th Avenue. URV-22-009

Background/Discussion

See attached staff report.

Recommendation

ATTACHMENTS:

Description	Type	Upload Date
Staff Report	Staff Report	11/18/2022
Attachment A: Boundary Map	Map	11/18/2022
Attachment B: Black Squirrel Flats Urban Revitalization Plan	Other	11/18/2022
Resolution 22-300	Resolution	11/22/2022

Council Communication

Department: Community Development Case No.: URV-22-009 Submitted by: Housing & Economic Development	Resolution No.: 22-	Resolution of Intent: 10/24/2022 Planning Commission: 11/8/2022 Public Hearing & First Reading: 11/28/2022 Second Reading: 12/19/2022 Third Reading: Request to Waive

Subject/Title

Establishment of the Black Squirrel Flats Urban Revitalization Area.

Location

Undeveloped property located at the northwest corner of S. 34th Street and 12th Avenue.

Background/Discussion

Background

Chapter 404 of the Iowa Code authorizes a City to designate an area as an urban revitalization area. Improvements to qualified real estate within designated areas may then be eligible to receive a total or partial exemption from property taxes for a specified number of years. The exemptions are intended to stimulate private investment by reducing the tax increase that would normally result from making improvements to real estate property.

Urban revitalization tax abatement incentives can apply to residential, commercial and industrial development. Both new construction on vacant or unimproved land and rehabilitation of existing structures are eligible for tax abatement.

A proposal has been submitted to Community Development for the construction of a new multifamily development to be known as Black Squirrel Flats at the northwest corner of S. 34th Street and 12th Avenue. Final plat approval of a four-lot subdivision known as Black Squirrel Flats Subdivision which includes this parcel was approved by City Council on 8/8/2022. The new tax parcel information is pending an update from the Pottawattamie County Assessor and GIS. Community Development wishes to create the Urban Revitalization Area consisting of one parcel at this location.

Staff has prepared an Urban Revitalization Plan in accordance with Section 404.2 of the Iowa Code and has scheduled the matter for City Council consideration. The Black Squirrel Flats Urban Revitalization Area will consist of approximately 1.3 acres.

Discussion

Iowa Code permits the City to establish urban revitalization areas which satisfy one of the five conditions outlined in Section 404.1. Staff believes this project meets the criteria under 404.1.5. Section 404.1.5 discusses an area designated as appropriate for public improvements related to housing and residential development, or construction of housing and residential development, including single or multifamily housing.

On October 24, 2022, City Council approved Resolution 22-261, which directed staff to initiate the process of creating the Black Squirrel Flats Urban Revitalization Plan and Area. This resolution set November 28, 2022 as the date of the public hearing.

This matter was brought before the City Planning Commission at their November 8, 2022 meeting. The Commission found the following: 1) That the proposed Black Squirrel Flats Urban

Revitalization Plan furthers the goals of the City's *Bluffs Tomorrow: 2030 Plan,* which is the general plan for the development of the City of Council Bluffs; and 2) That the Black Squirrel Flats Urban Revitalization Area is an area appropriate for urban revitalization as specified in Section 404.1.5 of Iowa code.

Property owners were notified and no written correspondence was received by the Community Development Department either in support or against the proposed plan. Concurrent with the adoption of an urban revitalization plan, an ordinance establishing the urban revitalization area can be considered. Upon adoption of the area and approval of an ordinance, the City is permitted to grant tax abatement to qualified projects. If approved, the project as proposed could be eligible for full exemption from taxation for four years.

Staff Recommendation

The Community Development Department recommends approval of the Black Squirrel Flats Urban Revitalization Plan and Area and 1st consideration of the ordinance.

Planning Commission Public Hearing

Staff speakers for the request:

1. Courtney Harter, Director, Community Development, City of Council Bluffs

Speakers in favor: None
Speakers in opposition: None

Planning Commission Recommendation

The Planning Commission recommended approval of the Black Squirrel Flats Urban Revitalization Plan and Area.

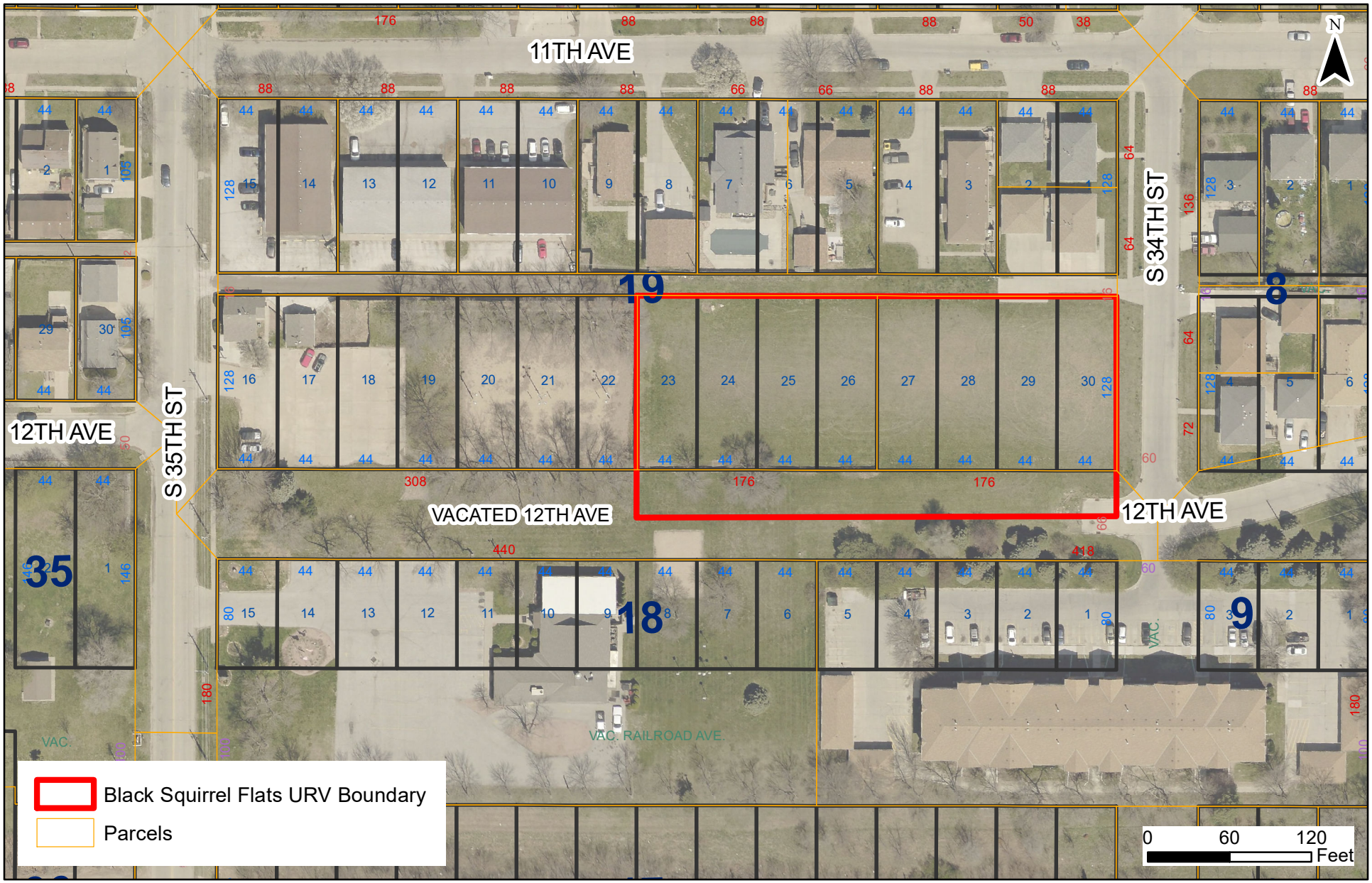
Vote: 11-0 (0 absent)
AYE – Bailey, Bass, Halm, Hutcheson, Knauss, Opperman, Rater, Rew, Scott, Stroebele and Van Houten
NAY – None
ABSTAIN – None
ABSENT – None
Motion: Carried

Attachments

A) Boundary Map
B) Black Squirrel Flats Urban Revitalization Plan

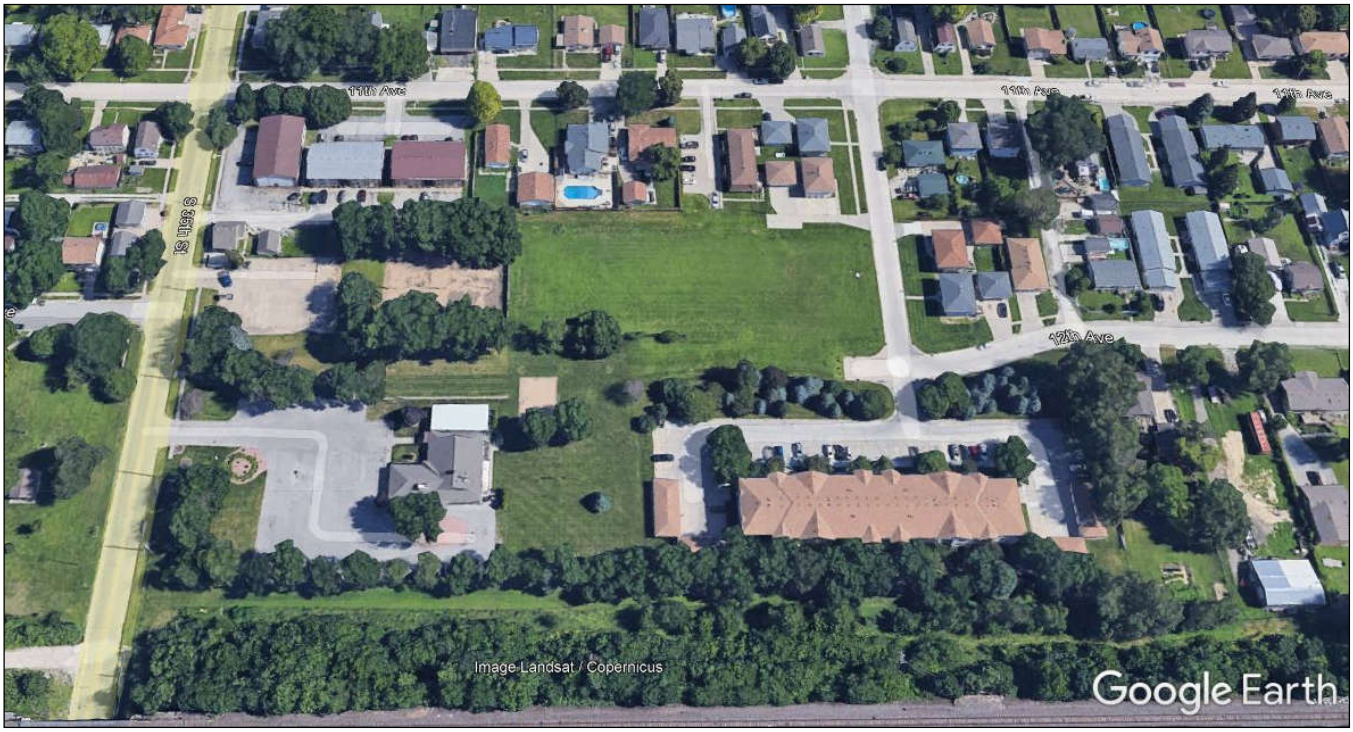
Prepared by: Tiffany Schmitt, Community Development Technician, Community Development Department
Approved by: Courtney Harter, Director, Community Development Department

Proposed Black Squirrel Flats Urban Revitalization Area: Boundary Map



Attachment B

Black Squirrel Flats
Urban Revitalization Plan



Prepared by

Community Development Department
City of Council Bluffs, Iowa

Adopted by
City Council on _____, 2022

TABLE OF CONTENTS

SECTION	PAGE
INTRODUCTION	2-3
LEGAL DESCRIPTION OF AREA	4
PROPERTY OWNERS & ASSESSED VALUATIONS	4
EXISTING ZONING & PROPOSED LAND USE	5-7
PROPOSALS FOR IMPROVING OR EXPANDING CITY SERVICES	8
RELOCATION PROVISIONS	8
OTHER PUBLIC ASSISTANCE	8
APPLICABILITY & TAX EXEMPTION SCHEDULE	8-9
APPLICATION & REVIEW PROCESS	10
APPENDIX A: TAX PARCEL INFORMATION [PENDING]	11

INTRODUCTION

The Urban Revitalization Act empowers a municipality to designate an area appropriate for commercial and industrial enterprises, public improvements related to housing and residential development, or construction of housing and residential development for low and moderate income families, including single or multifamily housing.

The City of Council Bluffs wishes to utilize property tax abatement incentives under the Urban Revitalization act to facilitate the renovation or construction of new commercial structures resulting in additional employment in the community. The preparation and subsequent adoption of an Urban Revitalization Plan is required by the Iowa Code prior to the provision of property tax abatement.

Section 404.1 of the Iowa Code stipulates that the Council may, by ordinance, designate an area of the City as the revitalization area, if that area is classified as any of the following:

1. An area in which there is a predominance of buildings or improvements, whether residential or nonresidential, which by reason of dilapidation, deterioration, obsolescence, inadequate provision for ventilation, light, air, sanitation, or open spaces, high density of population and overcrowding, the existence of conditions which endanger life or property by fire and other causes or a combination of such factors, is conductive to ill health, transmission of disease, infant mortality, juvenile delinquency or crime and which is detrimental to the public health, safety or welfare.

2. An area which by reason of the presence of a substantial number of deteriorated or deteriorating structures, predominance of defective or inadequate street layout, incompatible land use relationships, faulty lot layout in relation to size, adequacy, accessibility or usefulness, unsanitary or unsafe conditions, deterioration of site or other improvements, diversity of ownership, tax or special assessment delinquency exceeding the actual value of the land, defective or unusual conditions of title, or the existence of conditions which endanger life or property by fire and other causes, or a combination of such factors, substantially impairs or arrests the sound growth of a municipality, retards the provision of housing accommodations or constitutes an economic or social liability and is a menace to the public health, safety or welfare in its present condition and use.

3. An area in which there is a predominance of buildings or improvements which by reason of age, history, architecture or significance should be preserved or restored to productive use.

4. An area which is appropriate as an economic development area as defined in Section 403.17(10) of the Iowa Code which states “an area of a municipality designated by the local governing body as appropriate for commercial and industrial enterprises, public improvements related to housing and residential development, or construction of housing and residential development for low and moderate income families, including single or multifamily housing.”

5. An area designated as appropriate for public improvements related to housing and residential development, or construction of housing and residential development, including single or multifamily housing.

The City of Council Bluffs concluded that the Black Squirrel Flats Urban Revitalization Area meets the criteria of element 5. Consequently, on October 24, 2022, the City Council adopted Resolution No. 22-261, which directed staff to prepare a plan for the proposed revitalization area. Illustration 1 is the City Council Resolution.

Black Squirrel Flats Urban Revitalization Area
Illustration 1 – Resolution

RESOLUTION NO. 22-261

A RESOLUTION OF NECESSITY AND INTENT TO ESTABLISH THE BLACK SQUIRREL FLATS URBAN REVITALIZATION AREA LEGALLY DESCRIBED AS LOT 1, BLACK SQUIRREL FLATS SUBDIVISION.

WHEREAS, the subject area is an appropriate area as defined in Sections 404.1.5 of the Iowa Code; and

WHEREAS, a proposal has been submitted for the construction of a new multifamily development; and

WHEREAS, a plan for the area must be developed in accordance with Section 404.2 of the Iowa Code; and

WHEREAS, thirty days notice of public hearing is required to be sent to all property owners and occupants within the area; and

WHEREAS, notice of public hearing is also required in accordance with Section 362.3 of the Iowa Code.

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

That the development of the area is necessary in the interest of the City and the area substantially meets the criteria of Section 404.1.5.

BE IT FURTHER RESOLVED

That the City Council directs staff to prepare a final plan pursuant to Section 404.2 of the Iowa Code by no later than October 28, 2022.

BE IT FURTHER RESOLVED

That the City Council directs the City Clerk to set this matter for public hearing on November 28, 2022.

ADOPTED AND APPROVED: October 24, 2022

Matthew J. Walsh — Mayor

ATTEST:

Jodi Quakenbush — City Clerk

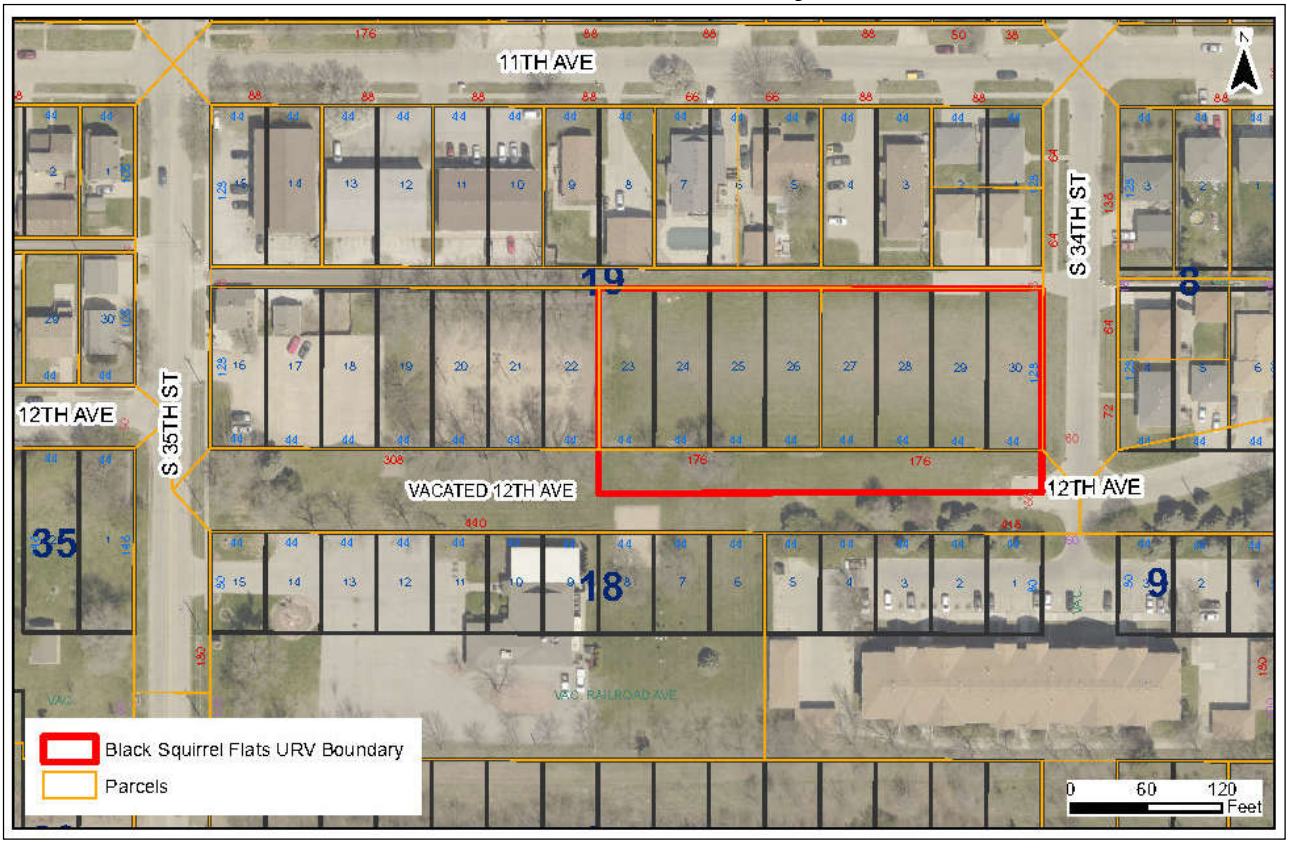
URV-22-009

LEGAL DESCRIPTION

The Black Squirrel Flats Urban Revitalization Area is a tract of land containing one parcel legally described as: Lot 1, Black Squirrel Flats Subdivision.

Illustration 2 shows the location and the boundary of the Black Squirrel Flats Urban Revitalization Area, which is approximately 1.3 acres.

Black Squirrel Flats Urban Revitalization Area
Illustration 2 – Boundary



PROPERTY OWNERS AND ASSESSED VALUATIONS

The Black Squirrel Flats Urban Revitalization Area will be comprised of approximately 1.3 acres on one parcel of land owned by Black Squirrel Investors LLC. A developer intends to construct a residential development called Black Squirrel Flats.

Valuation was obtained from the records of the Pottawattamie County Assessor. [Pending update following recent replat.]

Parcel Number	Zoning	Permanent Property Address	Owner Mailing Address	Land Valuation	Building Valuation	Parcel Total Valuation	Acreage
Pending	R-3/Low Density Multifamily Residential	Black Squirrel Investors LLC	Black Squirrel Investors LLC 1115 S 35th St Council Bluffs, IA 51501	Pending	Pending	Pending	Pending

EXISTING ZONING AND PROPOSED LAND USE

The Black Squirrel Flats Urban Revitalization Area is currently zoned R-3. The R-3/Low Density Multifamily Residential District is intended and designed for lower density multifamily residential areas of the city. This district permits a variety of housing types and is intended for established and developing areas of the city. The proposed principal use of the Black Squirrel Flats Urban Revitalization Area is multifamily residential, which is a permitted use in an R-3/Low Density Multifamily Residential District.

Surrounding properties to the north, northwest, south, and southeast are also zoned R-3. Properties east and northeast of the subject property are zoned R-2/Two-Family Residential District. Properties west and southwest of the subject property are zoned C-2/Commercial District. Illustration 3 depicts the existing on-site and surrounding zoning.

Existing land uses in the general vicinity include: single-family and multifamily residential to the north and east, multifamily residential to the south, a local restaurant to the southwest, and a local commercial tax service business to the west.

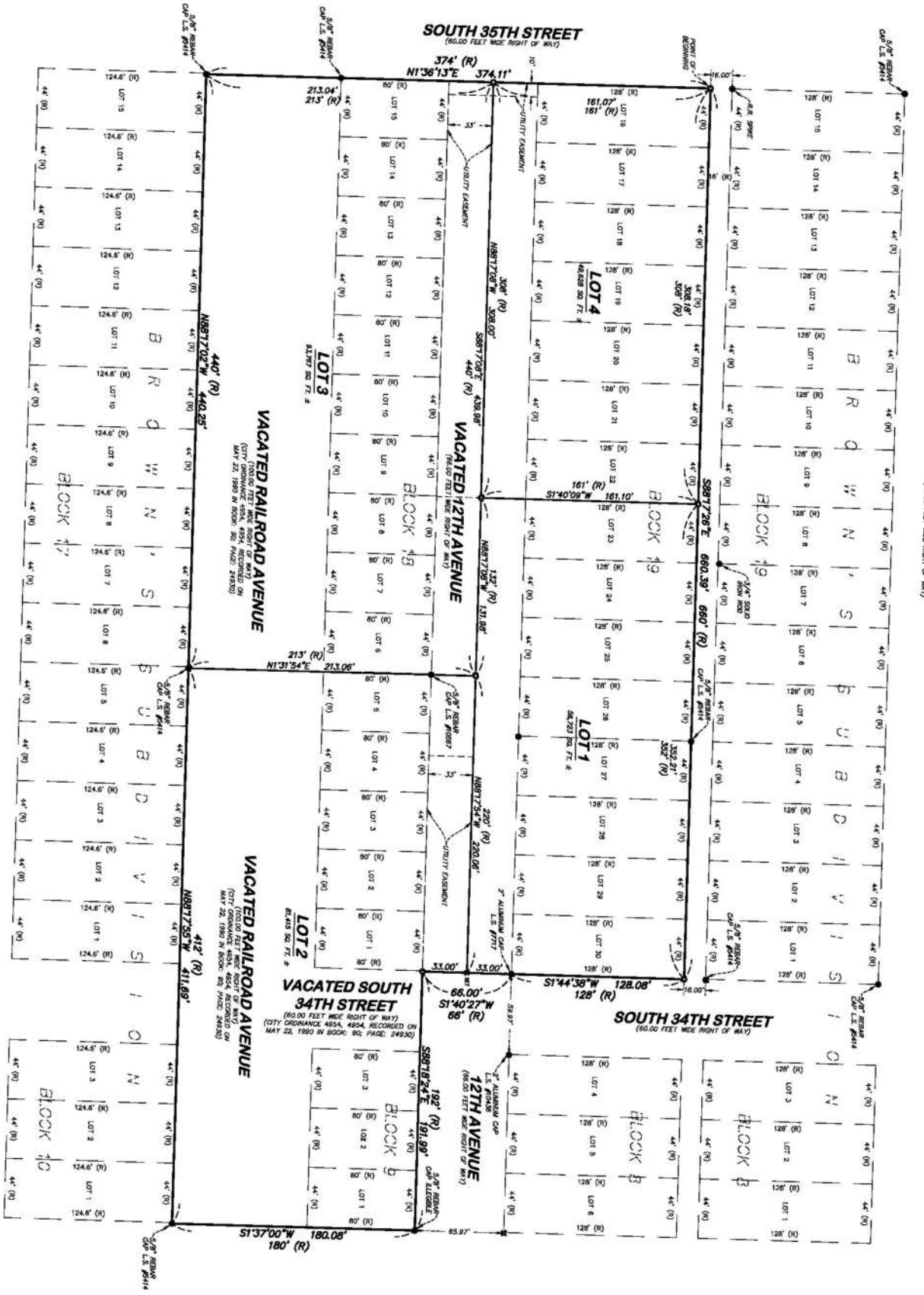
The future land use plan of the Bluffs Tomorrow: 2030 Plan designates the proposed Black Squirrel Flats Urban Revitalization Area as “High-Density Residential.” According to the plan, high-density residential areas in Council Bluffs typically include a series of multi-family structures built as part of the same development. The structures are often arranged around an internal street network or a central courtyard or open space. These developments are often adjacent to neighborhoods, but tend to have their own character.

Final plat approval of a four-lot subdivision known as Black Squirrel Flats Subdivision and which includes the proposed Black Squirrel Flats Urban Revitalization Area was approved by City Council on 8/8/2022. Illustration 4 depicts the approved final plat. The new tax parcel information is pending an update from the Pottawattamie County Assessor and GIS.

Black Squirrel Flats Urban Revitalization Area

Illustration 3 – Zoning

Illustration 4 – Final Plat of Black Squirrel Flats



PROPOSALS FOR IMPROVING OR EXPANDING CITY SERVICES

The proposed Black Squirrel Flats Urban Revitalization Area is currently served with all municipal services (sanitary sewer, water and storm sewer) and can be accessed by a dedicated roadway. Electricity and gas service are also available to the project. The project is located along South 34th St, which is adequate to handle the additional traffic generated by this proposed project.

RELOCATION PROVISIONS

The proposed Black Squirrel Flats Urban Revitalization Area is currently vacant land. There are no tenants at the location; therefore, the City will not displace any residential or non-residential tenants as a result of proposed improvements in the urban revitalization area.

OTHER PUBLIC ASSISTANCE

The developer is requesting property tax exemption. The developer has not requested any additional public assistance.

APPLICABILITY AND TAX EXEMPTION SCHEDULE

1. Eligibility – The Black Squirrel Flats Urban Revitalization Plan will apply to multi-family residential (12 or more units) use.

Both new construction and rehabilitation of existing structures will be eligible for tax abatement under the plan. Rehabilitation may include renovation of a structure to bring it to code standards, remodeling and expansion. New construction of multi-family structures containing 12 or more units or the renovation of existing multi-family properties containing 3 or more units will also be eligible for property tax exemption under the plan.

2. Term - The term of this Plan shall be until December 31, 2042 or amended by City Council.

3. Commercial and Industrial

Ten Year - All eligible commercial and industrial real estate is eligible to receive a partial exemption from taxation on the actual value added by the improvements. The exemption is for a period of ten years. The amount of the partial exemption is equal to a percent of the actual value added by the improvements, determined as follows:

a. For the first year, eighty percent.
b. For the second year, seventy percent.
c. For the third year, sixty percent.
d. For the fourth year, fifty percent.
e. For the fifth year, forty percent.
f. For the sixth year, forty percent.
g. For the seventh year, thirty percent.
h. For the eighth year, thirty percent.

i. For the ninth year, twenty percent.
j. For the tenth year, twenty percent.

-OR-

Three Year - All eligible commercial and industrial real estate is eligible to receive a one hundred percent exemption from taxation on the actual value added by the improvements. The exemption is for a period of three years.

4. Multi-Family New Construction (12 or more units) - All eligible multi-family construction shall be eligible to receive a 100% exemption for a period of four years.

5. Multi-Family Rehabilitation (3 or more units) - All eligible multi-family rehabilitation projects shall be eligible to receive a 100% exemption for a period of ten years.

6. Improvements - Improvements shall include commercial and industrial rehabilitation and additions to existing structures as well as new construction on vacant land or on land with existing structures. Improvements involving multi-family projects shall include new construction of projects resulting in 12 or more units or the rehabilitation of existing multi-family projects containing 3 or more units (assessed as commercial property). In addition, all improvements must result in the following increases in value:

- For non-residential property, improvements must increase the actual value of the structure by at least 15%. If more than one building is located on the property, the 15% increase requirement applies only to the structure or structures upon which the improvements were made.

- For residential property, the improvement must increase the actual value of the structure by at least 10%.

- If no structures were located on the property prior to the improvements, any improvements may qualify.

7. Actual Value - Actual value added by the improvements means the actual value added as of the first year for which the exemption was received. However, if such construction was begun one year prior to the adoption by the City of a Plan of Urban Revitalization pursuant to Chapter 404 of the Iowa Code, the value added by such construction, shall not constitute an increase in value for purposes of qualifying for the exemptions listed in this section.

APPLICATION AND REVIEW PROCESS

Upon completion of all improvements made within the assessment year for which the exemption is first claimed, the owner shall use the following procedure to secure the tax exemption.

1. The applicant requests a conference with the Community Development Department to discuss applicability of the request to established policy and review the application process.

2. The applicant completes the required forms and submits them along with all required data by February 1st to the Community Development Department. As part of the acceptance procedure, the Community Development Department shall review the submission for completeness. If there is a deficiency, the Department shall notify the applicant within seven (7) days.

3. The Department shall review the application according to the following criteria: 1) conformance with the Urban Revitalization Plan; 2) a finding that the site is within a designated area; 3) a finding that the work has been completed within the time required to qualify for abatement in the assessment year; 4) a finding that the application is consistent with Chapter 404 of the Iowa Code; and 5) a finding that the application is consistent with all applicable city codes and ordinances.

4. Upon review of the application, the Community Development Department will prepare a recommendation and schedule the proposal for City Council consideration.

5. By resolution, the City Council will accept the application and improvements as consistent with the intent of this plan and state law.

6. The City Council will then direct the Community Development Department to transmit a copy of the case file to the Assessor's Office by March 1st as required by Chapter 404 of the Iowa Code.

Appendix A

Find Property Res Sales Comm/Ind Sales

7544 33 436 011

--- Permanent Property Address ---	------- Mailing Address -------
BLACK SQUIRREL INVESTORS LLC	BLACK SQUIRREL INVESTORS LLC
	1115 S 35TH ST
	COUNCIL BLUFFS, IA 51501

District: 000 CO BLUFFS CITY/CO BLUFFS

REAL ESTATE TAXES ON TREASURER'S WEBPAGE

Go to: https://www.municipalonlinepayments.com/pottawattamiecoia/tax/search/detail/754433436011

TAX DESCRIPTION*

* Not to be used on legal documents

BROWNS SUB LTS 23 THRU 26 BLK 19 & N1/2 VAC 12TH AVE ADJ

ASSESSED VALUE

* Class is for Assessment purposes only – Not Zoning

		Current Value		
2022	Res. Land	Dwelling	Total	Class
Full Value	$6,100	$0	$6,100	R
Exempt	$0	$0	$0	R
Net Total	$6,100	$0	$6,100	R

		Prior Year Value		
2021	Res. Land	Dwelling	Total	Class
Full Value	$6,100	$0	$6,100	R
Exempt	$0	$0	$0	R
Net Total	$6,100	$0	$6,100	R

EXEMPTIONS/CREDITS APPLIED

OWNERS

* Book/Page LINKS TO RECORDER'S WEBPAGE

1 D BLACK SQUIRREL INVESTORS LLC book/page: 2022/14364 D

SALES HISTORY

Sale Date	Amount	Code	Book/Page	
10/24/2022	4088	D2	2022/14364	multiple parcel sale
05/04/2022	0	D1	2022/06456	multiple parcel sale
05/04/2022	0	D1	2022/12559	multiple parcel sale
12/15/2021	75000	D34	2021/21595	multiple parcel sale
03/13/2020	35000	D34	2020/03102	multiple parcel sale
12/11/2015	55000	D34	2015/16827	multiple parcel sale
03/11/1996	2000	D050	0096/26150	

ASSESSMENT DATA

PDF: 4 MAP: 17

Date Reviewed: 09/22/20 KK

LAND.....22528 sqFt .52 acres

Lot 1:	Frontage	Rear	Side-1	Side-2	Rear-Lot
	128	128	176	176	176

11

Zoom Out Zoom In

600ft x 600ft
Click any parcel to go to its web page
Spring 2022 aerial
See more maps at the County GIS Department.

As of: On Web Get Card

Find Property Res Sales Comm/Ind Sales

12

Find Property Res Sales Comm/Ind Sales

7544 33 436 012

--- Permanent Property Address ---	------- Mailing Address -------
BLACK SQUIRREL INVESTORS LLC	BLACK SQUIRREL INVESTORS LLC
	1115 S 35TH ST
	COUNCIL BLUFFS, IA 51501

District: 000 CO BLUFFS CITY/CO BLUFFS

========== REAL ESTATE TAXES ON TREASURER'S WEBPAGE ==========

Go to: https://www.municipalonlinepayments.com/pottawattamiecoia/tax/search/detail/754433436012

========== TAX DESCRIPTION* ==========

* Not to be used on legal documents

BROWNS SUB LTS 27 THRU 30 BLK 19 & N1/2 VAC 12TH AVE ADJ

========== ASSESSED VALUE ==========

* Class is for Assessment purposes only – Not Zoning

		Current Value		
2022	Res. Land	Dwelling	Total	Class
Full Value	$40,500	$0	$40,500	R
Exempt	$0	$0	$0	R
Net Total	$40,500	$0	$40,500	R

		Prior Year Value		
2021	Res. Land	Dwelling	Total	Class
Full Value	$40,500	$0	$40,500	R
Exempt	$0	$0	$0	R
Net Total	$40,500	$0	$40,500	R

========== EXEMPTIONS/CREDITS APPLIED ==========

========== OWNERS ==========

* Book/Page LINKS TO RECORDER'S WEBPAGE

1 D BLACK SQUIRREL INVESTORS LLC book/page: 2022/14364 D

========== SALES HISTORY ==========

Sale Date	Amount	Code	Book/Page	
10/24/2022	4088	D2	2022/14364	multiple parcel sale
05/04/2022	0	D1	2022/06456	multiple parcel sale
05/04/2022	0	D1	2022/12559	multiple parcel sale
12/15/2021	75000	D34	2021/21595	multiple parcel sale
03/13/2020	35000	D34	2020/03102	multiple parcel sale
12/11/2015	55000	D34	2015/16827	multiple parcel sale
04/30/1997	30000	D050	0097/42620	multiple parcel sale
08/16/1995	12000	D002	0096/05710	
04/21/1995	0	D006	0095/25941	

========== ASSESSMENT DATA ==========

PDF: 4 MAP: 17

Date Reviewed: 09/22/20 KK

LAND.....22528 sqFt .52 acres

Lot 1: Frontage	Rear	Side-1	Side-2	Rear-Lot
128	128	176	176	

13

Zoom Out Zoom In

600ft x 600ft
Click any parcel to go to its web page
Spring 2022 aerial
See more maps at the County GIS Department.

As of: On Web Get Card

Find Property Res Sales Comm/Ind Sales

14

RESOLUTION NO. 22-300

A RESOLUTION APPROVING THE URBAN REVITALIZATION PLAN FOR THE BLACK SQUIRREL FLATS URBAN REVITALIZATION AREA.

WHEREAS, the City of Council Bluffs has the authority under Chapter 404 of the Iowa Code to declare an area to be an urban revitalization area; and

WHEREAS, on October 24, 2022, the City Council adopted Resolution 22-261, which directed staff to prepare a plan for the Black Squirrel Flats Urban Revitalization Area and set a public hearing for November 28, 2022; and

WHEREAS, on November 8, 2022, the City Planning Commission reviewed the Black Squirrel Flats Urban Revitalization Plan and found it consistent with the goals and objectives of the City's *Bluffs Tomorrow: 2030 Plan,* which is the general plan for the development of the City of Council Bluffs; and

WHEREAS, the current property is appropriate as an economic development area as defined in section 403.17; and

WHEREAS, after careful study and consideration, this City Council finds that the development of the area is necessary in the interest of the public health, safety and/or welfare of the residents of the City.

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

That the City Council hereby approves the Black Squirrel Flats Urban Revitalization Plan.

ADOPTED
AND
APPROVED November 28, 2022

_____
Matthew J. Walsh Mayor

ATTEST: _____
Jodi Quakenbush City Clerk

Council Communication

Department: Community Development
Case/Project No.: URV-22-008
Submitted by: Housing & Economic Development

Resolution 22-301
ITEM 4.C.

Council Action: 11/28/2022

Description

Resolution approving the Urban Revitalization Plan for the Whispering Oaks Urban Revitalization Area. Location: the intersection of Greenview Road and Franklin Avenue. URV-22-008

Background/Discussion

See attached staff report.

Recommendation

ATTACHMENTS:

Description	Type	Upload Date
Staff Report	Staff Report	11/18/2022
Attachment A – Legal Description	Legal Description	11/18/2022
Attachment B – Boundary Map	Map	11/18/2022
Attachment C - Whispering Oaks Urban Revitalization Plan	Other	11/18/2022
Resolution 22-301	Resolution	11/22/2022

Council Communication

Department: Community Development Case No.: URV-22-008 Submitted by: Housing & Economic Development	Resolution:	Resolution of Intent: 10/24/2022 Planning Commission: 11/08/2022 Public Hearing & First Reading: 11/28/2022 Second Reading: 12/19/2022 Third Reading: Request to Waive

Subject/Title

Establishment of the Whispering Oaks Urban Revitalization Area at the intersection of Greenview Road and Franklin Avenue.

Background/Discussion

Background

Chapter 404 of the Iowa Code authorizes a City to designate an area as an urban revitalization area. Improvements to qualified real estate within designated areas may then be eligible to receive a total or partial exemption from property taxes for a specified number of years. The exemptions are intended to stimulate private investment by reducing the tax increase that would normally result from making improvements to real estate property.

Urban revitalization tax abatement incentives can apply to residential, commercial and industrial development. Both new construction on vacant or unimproved land and rehabilitation of existing structures are eligible for tax abatement.

The Community Development Department wishes to create an Urban Revitalization Area consisting of three parcels creating the Whispering Oaks Urban Revitalization Area located at the intersection of Greenview Road and Franklin Avenue.

Staff has prepared an Urban Revitalization Plan in accordance with Section 404.2 of the Iowa Code and has scheduled the matter for City Council consideration. The Whispering Oaks Urban Revitalization Area will consist of approximately 28.07 acres.

Discussion

Iowa Code permits the City to establish urban revitalization areas which satisfy one of the five conditions outlined in Section 404.1. Staff believes this project meets the criteria under 404.1.5. Section 404.1.5 discusses an area designated as appropriate for public improvements related to housing and residential development, or construction of housing and residential development, including single or multifamily housing.

On October 24, 2022, City Council approved Resolution 22-260, which directed staff to initiate the process of creating the Whispering Oaks Urban Revitalization Plan and Area. This resolution set November 28, 2022 as the date of the public hearing.

This matter was brought before the City Planning Commission at their November 8, 2022 meeting. The Commission found the following: 1) That the proposed Whispering Oaks Urban Revitalization Plan furthers the goals of the City's *Bluffs Tomorrow: 2030 Plan*, which is the general plan for the development of the City of Council Bluffs; and 2) That the Whispering Oaks Urban Revitalization Area is an area appropriate for urban revitalization as specified in Section

404.1.4.

Property owners were notified and no written correspondence was received by the Community Development Department either in support or against the proposed plan. Concurrent with the adoption of an urban revitalization plan, an ordinance establishing the urban revitalization area can be considered. Upon adoption of the area and approval of an ordinance, the City is permitted to grant tax abatement to qualified projects.

Staff Recommendation

The Community Development Department recommends approval of the Whispering Oaks Urban Revitalization Plan and Area and 1st consideration of the ordinance.

Planning Commission Recommendation

Staff speakers for the request:

1. Courtney Harter, Director Planning & Community Development, City of Council Bluffs

Speakers in favor: None
Speakers in opposition: None

Planning Commission Recommendation

The Planning Commission recommended approval of the Whispering Oaks Urban Revitalization Plan and Area.

Vote: 10-0-1
AYE – Bailey, Bass, Halm, Hutcheson, Knauss, Opperman, Rater, Rew, Scott and Stroebele
NAY – None
ABSTAIN – Van Houten
ABSENT – None
Motion: Carried

Attachments

Attachment A – Legal Description
Attachment B – Boundary Map
Attachment C - Whispering Oaks Urban Revitalization Plan

Prepared by: Marianne Collins, Community Development Housing & Economic Development Planner, Community Development Department
Submitted by: Courtney Harter, Director Planning & Community Development, Community Development Department

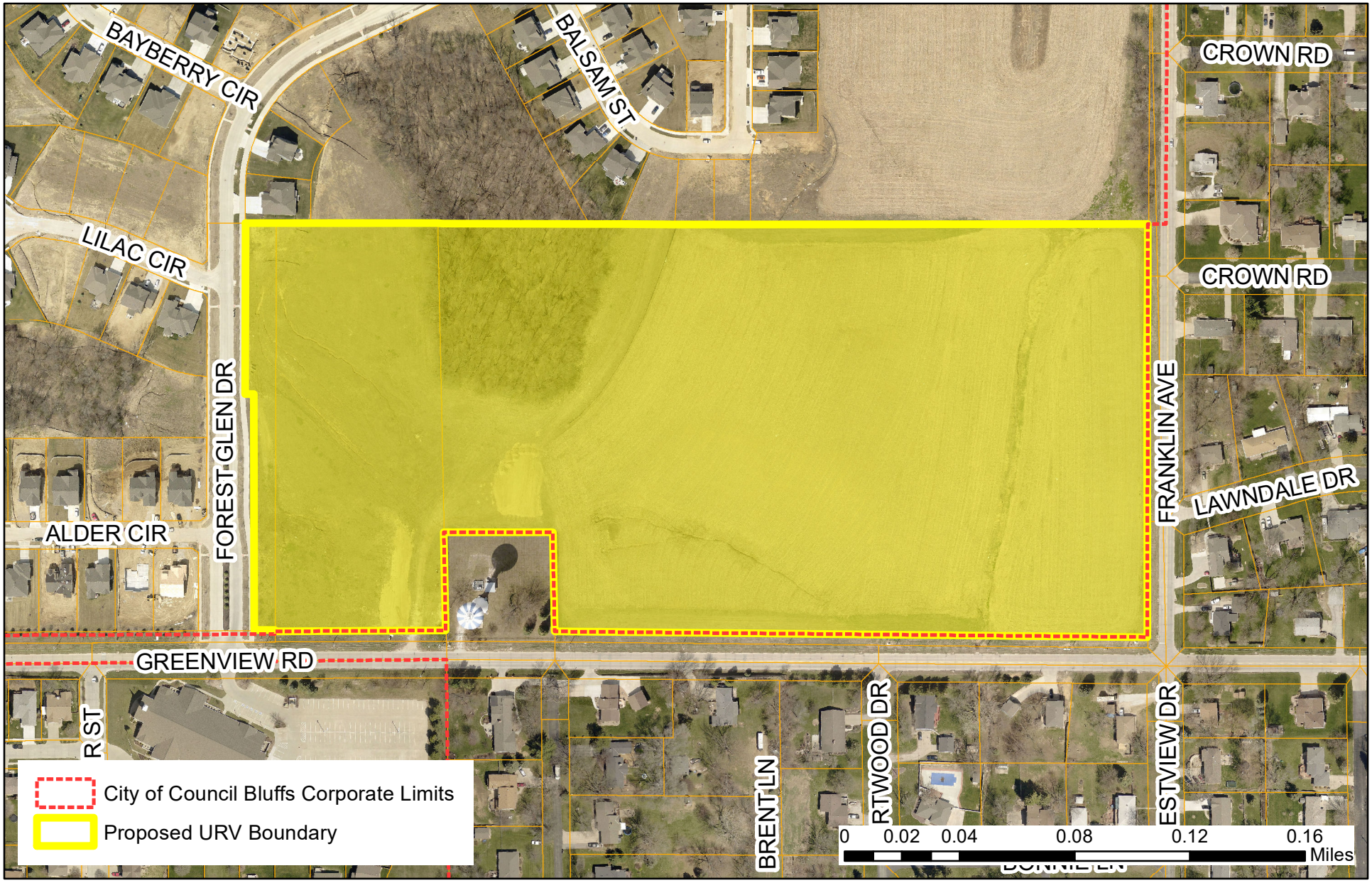
Attachment A – Legal Description

A PART OF THE SW 1/4 OF THE NW 1/4 OF SECTION 4, TOWNSHIP 74 NORTH, RANGE 43 WEST OF THE 5TH PRINCIPAL MERIDIAN, AND ALSO TOGETHER WITH PART OF THE SE 1/4 OF THE NE 1/4 OF SECTION 5, SAID TOWNSHIP 74 NORTH, RANGE 43 WEST OF THE 5TH PRINCIPAL MERIDIAN; ALL LOCATED IN POTTAWATTAMIE COUNTY, COUNCIL BLUFFS, IOWA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE EAST 1/4 CORNER OF SECTION 5, TOWNSHIP 74N, RANGE 43 WEST; THENCE N1°06'10”E (ASSUMED BEARING), 53.00 FEET TO THE POINT OF BEGINNING; THENCE N88°28'13"W A DISTANCE OF 351.12 FEET TO A POINT ON THE EAST RIGHT-OF-WAY LINE OF FOREST GLEN DRIVE; THENCE NORTHERLY ALONG SAID EAST RIGHT-OF-WAY LINE OF FOREST GLEN DRIVE ON THE FOLLOWING DESCRIBED COURSES: THENCE N1°20'57"E, A DISTANCE OF 433.34 FEET; THENCE N88°16'18"W, A DISTANCE OF 15.99 FEET; THENCE N1°31'50"E, A DISTANCE OF 313.54 FEET TO THE SOUTHWEST CORNER OF LOT 106, WHISPERING OAKS; THENCE S88°34'04"E, A DISTANCE OF 56.87 FEET ALONG THE SOUTH LINE OF LOT 106, WHISPERING OAKS TO THE NORTHWEST CORNER OF A TRACT OF LAND DESCRIBED IN BOOK 2017 PAGE 2889; THENCE S88°28'13"E, A DISTANCE OF 306.04 FEET ALONG THE SOUTH LINE OF LOT 106 & SOUTH LINE OF OUTLOT A, WHISPERING OAKS TO A POINT AT THE INTERSECTION OF THE SOUTH LINE OF OUTLOT A & THE EAST LINE OF A TRACT OF LAND DESCRIBED IN BOOK 2017 PAGE 2889; THENCE S88°15'01"E, A DISTANCE OF 562.24 FEET ALONG THE SOUTH LINE OF OUTLOT A, & LOTS 87-90 WHISPERING OAKS TO THE SOUTHEAST CORNER OF LOT 87 WHISPERING OAKS; THENCE S88°15'01”E, A DISTANCE OF 714.76 FEET; THENCE S88°15'01"E, A DISTANCE OF 17.46, TO THE WEST RIGHT OF WAY LINE OF FRANKLIN AVENUE; THENCE S1°43'39"W, A DISTANCE OF 747.00 FEET ALONG SAID WEST RIGHT-OF-WAY LINE OF FRANKLIN AVENUE; THENCE N88°15'01"W DISTANCE OF 1,086.30 FEET TO THE EAST LINE OF A PARCEL BOOK 87, PAGE 22729; THENCE N01°06'10"E ALONG SAID EAST LINE OF SAID PARCEL BOOK 87, PAGE 22729, A DISTANCE OF 180.01 FEET TO THE NORTHEAST CORNER OF SAID PARCEL BOOK 87, PAGE 22729; THENCE N88°15'01"W ALONG THE NORTH LINE OF SAID PARCEL, B00K 87, PAGE 22729 A DISTANCE OF 200.00 FEET; THENCE S1°06'10"W ALONG SAID PARCEL BOOK 87, PAGE 22729, A DISTANCE OF 180.01 FEET TO THE POINT OF BEGINNING. SAID TRACT OF LAND CONTAINS 1,193,878.13 SQ.FT. OR 27.40 ACRES MORE OR LESS

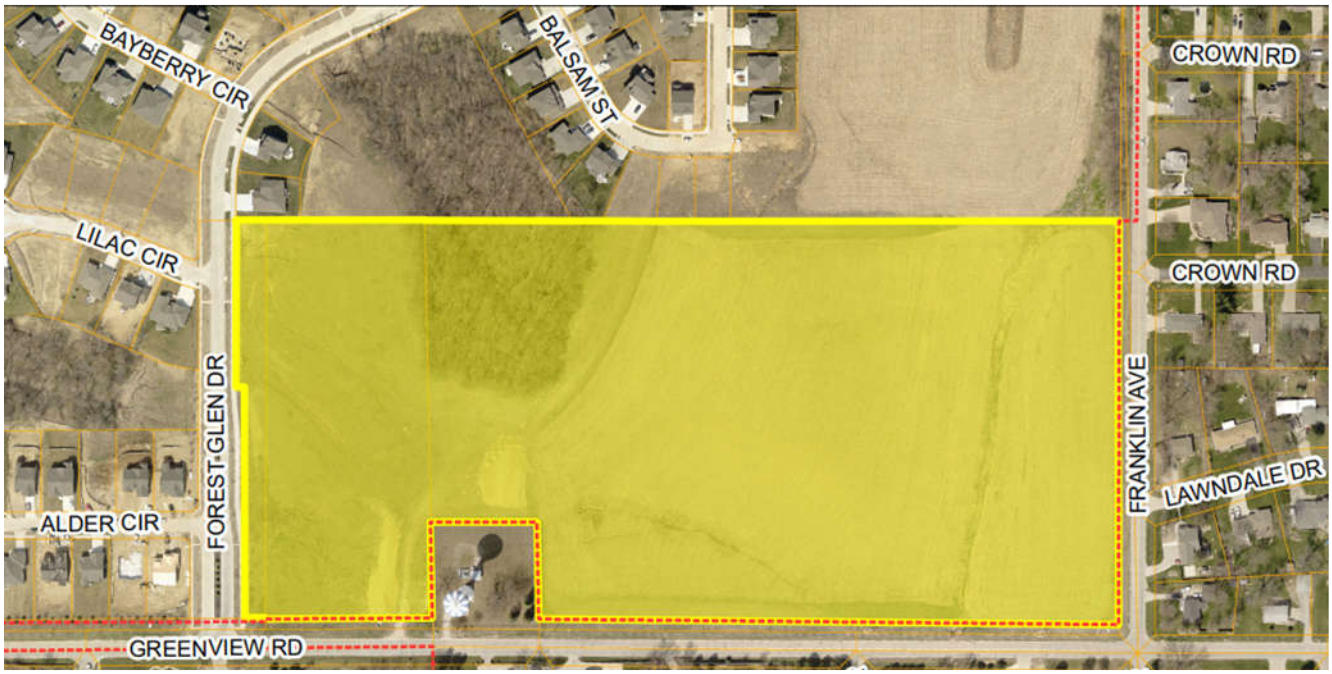
Attachment B

Proposed Whispering Oaks Urban Revitalization Area: Boundary Map



Attachment C

Whispering Oaks
Urban Revitalization Plan



Prepared by

Community Development Department
City of Council Bluffs, Iowa

Adopted by
City Council on _____, 2022

TABLE OF CONTENTS

SECTION	PAGE
INTRODUCTION	2
LEGAL DESCRIPTION OF AREA	5
PROPERTY OWNERS & ASSESSED VALUATIONS	6
EXISTING ZONING & PROPOSED LAND USE	7
PROPOSALS FOR IMPROVING OR EXPANDING CITY SERVICES	8
RELOCATION PROVISIONS	8
OTHER PUBLIC ASSISTANCE	8
APPLICABILITY & TAX EXEMPTION SCHEDULE	8
APPLICATION AND REVIEW PROCESS	10
APPENDIX A: CONCEPTUAL SITE PLAN & ARCHITECTURAL RENDERINGS	11

INTRODUCTION

The Urban Revitalization Act empowers a municipality to designate an area appropriate for commercial and industrial enterprises, public improvements related to housing and residential development, or construction of housing and residential development for low and moderate-income families, including single or multi-family housing.

The City of Council Bluffs wishes to utilize property tax abatement incentives under the Urban Revitalization Act to facilitate the construction of a multi-family residential project in the community. The preparation and subsequent adoption of an Urban Revitalization Plan is required by the Iowa Code prior to the provision of property tax abatement.

Section 404.1 of the Iowa Code stipulates that the Council may, by ordinance, designate an area of the City as the revitalization area, if that area is classified as any of the following:

1. An area in which there is a predominance of buildings or improvements, whether residential or nonresidential, which by reason of dilapidation, deterioration, obsolescence, inadequate provision for ventilation, light, air, sanitation, or open spaces, high density of population and overcrowding, the existence of conditions which endanger life or property by fire and other causes or a combination of such factors, is conductive to ill health, transmission of disease, infant mortality, juvenile delinquency or crime and which is detrimental to the public health, safety or welfare.

2. An area which by reason of the presence of a substantial number of deteriorated or deteriorating structures, predominance of defective or inadequate street layout, incompatible land use relationships, faulty lot layout in relation to size, adequacy, accessibility or usefulness, unsanitary or unsafe conditions, deterioration of site or other improvements, diversity of ownership, tax or special assessment delinquency exceeding the actual value of the land, defective or unusual conditions of title, or the existence of conditions which endanger life or property by fire and other causes, or a combination of such factors, substantially impairs or arrests the sound growth of a municipality, retards the provision of housing accommodations or constitutes an economic or social liability and is a menace to the public health, safety or welfare in its present condition and use.

3. An area in which there is a predominance of buildings or improvements which by reason of age, history, architecture or significance should be preserved or restored to productive use.

4. An area which is appropriate as an economic development area as defined in Section 403.17(10) of the Iowa Code which states “an area of a municipality designated by the local governing body as appropriate for commercial and industrial enterprises, public improvements related to housing and residential development, or construction of housing and residential development for low and moderate income families, including single or multi-family housing.”

5. An area designated as appropriate for public improvements related to housing and residential development, or construction of housing and residential development, including single or multi-family housing.

The City of Council Bluffs concluded that the Whispering Oaks Urban Revitalization Area meets the criteria of element 5. Consequently, October 24, 2022, the City Council adopted Resolution No. 22-260, which directed staff to prepare a plan for the proposed revitalization area. Illustration 1 is the City Council Resolution.

Illustration 1 – Resolution

RESOLUTION NO. 22-260

A RESOLUTION OF NECESSITY AND INTENT TO ESTABLISH THE WHISPERING OAKS URBAN REVITALIZATION AREA IN THE CITY OF COUNCIL BLUFFS, POTTAWATTAMIE COUNTY, IOWA.

WHEREAS, the subject area is an appropriate area as defined in Section 404.1.5 of the Iowa Code; and

WHEREAS, a proposal has been submitted for the construction of a multi-family residential project on the vacant land; and

WHEREAS, a plan for the area must be developed in accordance with Section 404.2 of the Iowa Code; and

WHEREAS, thirty days notice of public hearing is required to be sent to all property owners and occupants within the area; and

WHEREAS, notice of public hearing is also required in accordance with Section 362.3 of the Iowa Code.

WHEREAS, a legal description of this area is attached as Exhibit A.

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

That the development of the area is necessary in the interest of the City and the area substantially meets the criteria of Section 404.1.5.

BE IT FURTHER RESOLVED

That the City Council directs staff to prepare a final plan pursuant to Section 404.2 of the Iowa Code by October 28, 2022.

BE IT FURTHER RESOLVED

That the City Council directs the City Clerk to set this matter for public hearing on November 28, 2022.

ADOPTED AND APPROVED: October 24, 2022

Matthew J. Walsh Mayor

ATTEST:

Jodi Quakenbush City Clerk

LEGAL DESCRIPTION

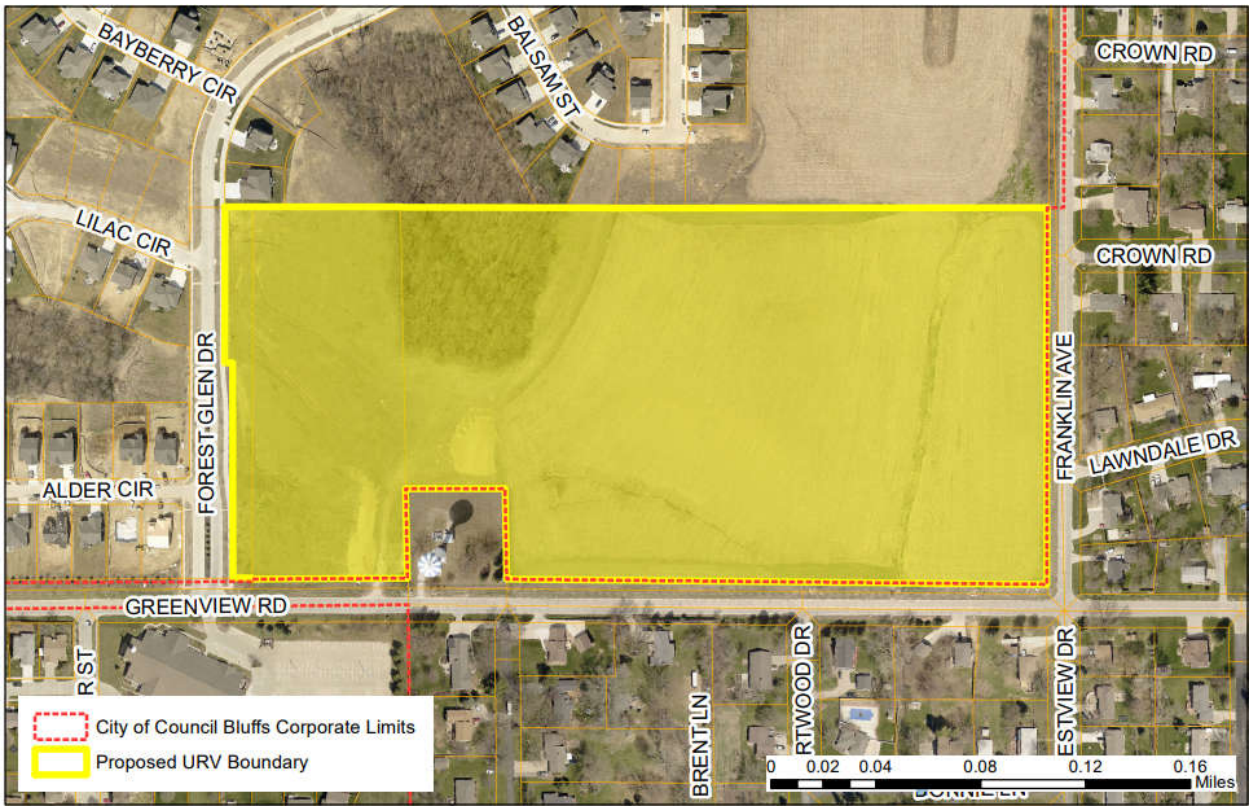
The Whispering Oaks Urban Revitalization Area is a tract of land consisting of three parcels legally described as:

A PART OF THE SW 1/4 OF THE NW 1/4 OF SECTION 4, TOWNSHIP 74 NORTH, RANGE 43 WEST OF THE 5TH PRINCIPAL MERIDIAN, AND ALSO TOGETHER WITH PART OF THE SE 1/4 OF THE NE 1/4 OF SECTION 5, SAID TOWNSHIP 74 NORTH, RANGE 43 WEST OF THE 5TH PRINCIPAL MERIDIAN; ALL LOCATED IN POTTAWATTAMIE COUNTY, COUNCIL BLUFFS, IOWA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:
COMMENCING AT THE EAST 1/4 CORNER OF SECTION 5, TOWNSHIP 74N, RANGE 43 WEST; THENCE N1°06'10”E (ASSUMED BEARING), 53.00 FEET TO THE POINT OF BEGINNING; THENCE N88°28'13"W A DISTANCE OF 351.12 FEET TO A POINT ON THE EAST RIGHT-OF-WAY LINE OF FOREST GLEN DRIVE; THENCE NORTHERLY ALONG SAID EAST RIGHT-OF-WAY LINE OF FOREST GLEN DRIVE ON THE FOLLOWING DESCRIBED COURSES: THENCE N1°20'57"E, A DISTANCE OF 433.34 FEET; THENCE N88°16'18"W, A DISTANCE OF 15.99 FEET; THENCE N1°31'50"E, A DISTANCE OF 313.54 FEET TO THE SOUTHWEST CORNER OF LOT 106, WHISPERING OAKS; THENCE S88°34'04"E, A DISTANCE OF 56.87 FEET ALONG THE SOUTH LINE OF LOT 106, WHISPERING OAKS TO THE NORTHWEST CORNER OF A TRACT OF LAND DESCRIBED IN BOOK 2017 PAGE 2889; THENCE S88°28'13"E, A DISTANCE OF 306.04 FEET ALONG THE SOUTH LINE OF LOT 106 & SOUTH LINE OF OUTLOT A, WHISPERING OAKS TO A POINT AT THE INTERSECTION OF THE SOUTH LINE OF OUTLOT A & THE EAST LINE OF A TRACT OF LAND DESCRIBED IN BOOK 2017 PAGE 2889; THENCE S88°15'01"E, A DISTANCE OF 562.24 FEET ALONG THE SOUTH LINE OF OUTLOT A, & LOTS 87-90 WHISPERING OAKS TO THE SOUTHEAST CORNER OF LOT 87 WHISPERING OAKS; THENCE S88°15'01”E, A DISTANCE OF 714.76 FEET; THENCE S88°15'01"E, A DISTANCE OF 17.46, TO THE WEST RIGHT OF WAY LINE OF FRANKLIN AVENUE; THENCE S1°43'39"W, A DISTANCE OF 747.00 FEET ALONG SAID WEST RIGHT-OF-WAY LINE OF FRANKLIN AVENUE; THENCE N88°15'01"W DISTANCE OF 1,086.30 FEET TO THE EAST LINE OF A PARCEL BOOK 87, PAGE 22729; THENCE N01°06'10"E ALONG SAID EAST LINE OF SAID PARCEL BOOK 87, PAGE 22729, A DISTANCE OF 180.01 FEET TO THE NORTHEAST CORNER OF SAID PARCEL BOOK 87, PAGE 22729; THENCE N88°15'01"W ALONG THE NORTH LINE OF SAID PARCEL, B00K 87, PAGE 22729 A DISTANCE OF 200.00 FEET; THENCE S1°06'10"W ALONG SAID PARCEL BOOK 87, PAGE 22729, A DISTANCE OF 180.01 FEET TO THE POINT OF BEGINNING. SAID TRACT OF LAND CONTAINS 1,193,878.13 SQ.FT. OR 27.40 ACRES MORE OR LESS

Illustration 2 shows the approximate location and the boundary of the Whispering Oaks Urban Revitalization Area. The area is 27.40 acres.

Whispering Oaks Urban Revitalization Plan

Illustration 2 - Boundary



PROPERTY OWNERS AND ASSESSED VALUES

The Whispering Oaks Urban Revitalization Area will be comprised of 27.40 acres of land which is currently owned by TS Development LLC. The Whispering Oaks Urban Revitalization area will be located on what is currently a 27.40 acre parcel that is currently being subdivided into a three-lot subdivision. The assessed land value is $303,300.

Parcel Number	Owner & Address	Land Valuation	Dwelling Valuation	Building Valuation	Total Valuation
744305276010	T S Development LLC	$25,000	$0	$0	$25,000
744305276005	T S Development LLC	$54,400	$0	$0	$54,400
744304151003	T S Development LLC	$223,900	$0	$0	$223,900

EXISTING ZONING AND PROPOSED LAND USE

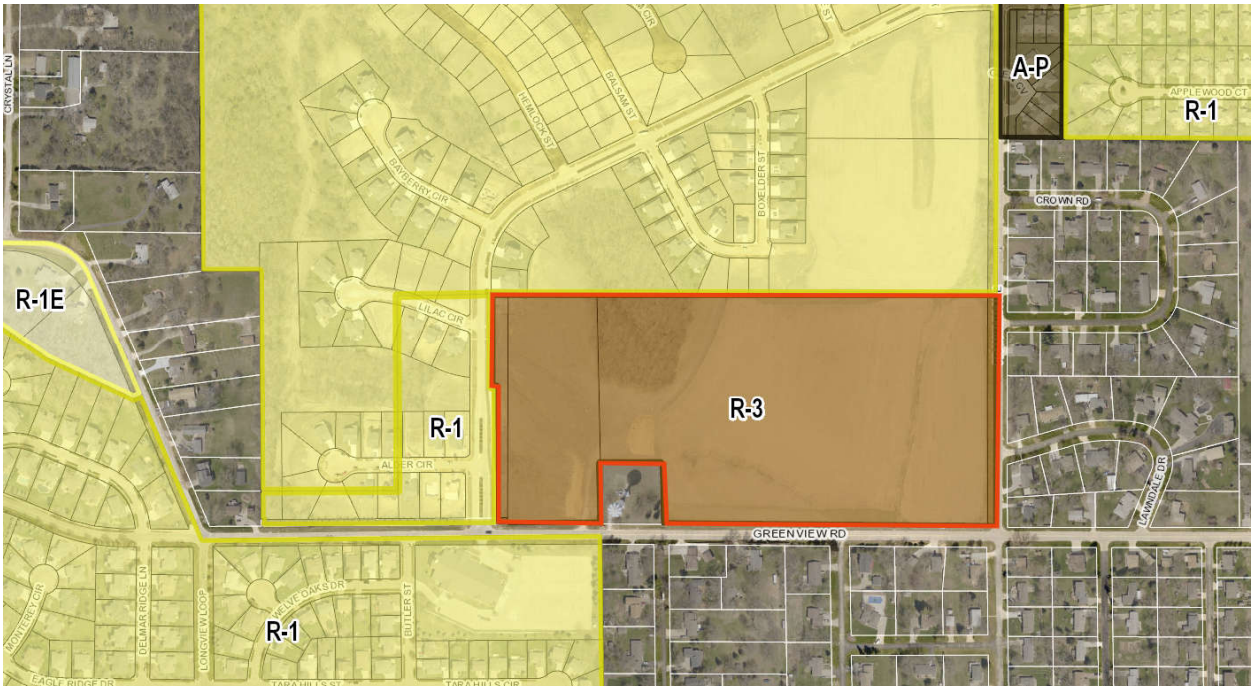
The Whispering Oaks Urban Revitalization Area is zoned R-3/Low Density Multi-Family Residential with a Planned Residential Overlay. The R-3/Low Density Multi-Family District is intended and designed for development of medium density multi-family residential units. The Planned Residential Overlay is intended to provide flexibility in the use and design of structures and land in situations where conventional development may be inappropriate. The Overlay also permits projects that involve the mixture of commercial and residential uses.

Adjacent zoning of Whispering Oaks to the north, south and west, within City limits, are zoned R-1 single family. To the east and south, outside City limits, are zoned R-3 urban residential.

A development proposal has been submitted by T S Development LLC for the construction of a multi-family/mixed-use residential project. Lot 1, approximately 6.11 acres, will be developed as an assisted living facility with a maximum of 133 dwelling units. Lot 2, approximately 12.41 acres, will be developed into a maximum of 150 multifamily units. Lot 3, approximately 7.87 acres, will be developed into a maximum of 124 multifamily units.

The Development Plan can be found in Attachment A.

Whispering Oaks Urban Revitalization Plan
Illustration 3 – Zoning



PROPOSALS FOR IMPROVING OR EXPANDING CITY SERVICES

The proposed Whispering Oaks Urban Revitalization Area will be served with all municipal services (sanitary sewer, water and storm sewer) and can be accessed by a dedicated roadway. Electricity and gas service are also available to the project. The developer is constructing a new sanitary sewer lift station and force main to service the multifamily/missed-use development. A new sanitary force main system will connect into the existing sanitary sewer in Balsam Street. A 10-foot wide Portland cement concrete trail along Greenview Road shall be incorporated in the design of the subdivision. This trail will eventually be extended further east, where it will connect into the existing trail at Greenview Road/Eastern Hills Drive intersection. A pedestrian sidewalk network shall be provided that connects all buildings in the development to the Greenview Road trail and sidewalks along Sycamore Street and Franklin Avenue. The project is located adjacent to Greenview Road and Franklin Avenue, which will adequately handle the additional traffic generated by this proposed project.

RELOCATION PROVISIONS

The Whispering Oaks Urban Revitalization Area is currently undeveloped; therefore, the City will not displace any residential or non-residential tenants as a result of proposed improvements in the urban revitalization area.

OTHER PUBLIC ASSISTANCE

The developer may be eligible for additional City assistance through construction of the required lift station. Cost is still to be determined.

APPLICABILITY AND TAX EXEMPTION SCHEDULE

1. Eligibility - The Whispering Oaks Urban Revitalization Plan will apply to commercial and multi-family residential (12 or more units).

Both new construction and rehabilitation of existing structures will be eligible for tax abatement under the plan. Rehabilitation may include renovation of a structure to bring it to code standards, remodeling and expansion. New construction of multi-family structures containing 12 or more units or the renovation of existing multi-family properties containing 3 or more units will also be eligible for property tax exemption under the plan.

2. Term - The term of this Plan shall be until December 31, 2042 or amended by City Council.

3. Commercial and Industrial

Ten Year - All eligible commercial and industrial real estate is eligible to receive a partial exemption from taxation on the actual value added by the improvements. The exemption is for a period of ten years. The amount of the partial exemption is equal to a percent of the actual value added by the improvements, determined as follows:

a. For the first year, eighty percent.
b. For the second year, seventy percent.
c. For the third year, sixty percent.
d. For the fourth year, fifty percent.
e. For the fifth year, forty percent.
f. For the sixth year, forty percent.
g. For the seventh year, thirty percent.
h. For the eighth year, thirty percent.
i. For the ninth year, twenty percent.
j. For the tenth year, twenty percent.

-OR-

Three Year - All eligible commercial and industrial real estate is eligible to receive a one hundred percent exemption from taxation on the actual value added by the improvements. The exemption is for a period of three years.

4. Multi-Family New Construction (12 or more units) - All eligible multi-family construction shall be eligible to receive a 100% exemption for a period of four years.

5. Multi-Family Rehabilitation (3 or more units) - All eligible multi-family rehabilitation projects shall be eligible to receive a 100% exemption for a period of ten years.

6. Improvements - Improvements shall include commercial and industrial rehabilitation and additions to existing structures as well as new construction on vacant land or on land with existing structures. Improvements involving multi-family projects shall include new construction of projects resulting in 12 or more units or the rehabilitation of existing multi-family projects containing 3 or more units (assessed as commercial property). In addition, all improvements must result in the following increases in value:

- For non-residential property, improvements must increase the actual value of the structure by at least 15%. If more than one building is located on the property, the 15% increase requirement applies only to the structure or structures upon which the improvements were made.

- For residential property, the improvement must increase the actual value of the structure by at least 10%.

- If no structures were located on the property prior to the improvements, any improvements may qualify.

7. Actual Value - Actual value added by the improvements means the actual value added as of the first year for which the exemption was received. However, if such construction was begun one year prior to the adoption by the City of a Plan of Urban Revitalization pursuant to Chapter 404 of the Iowa Code, the value added by such construction, shall not constitute an increase in value for purposes of qualifying for the exemptions listed in this section.

APPLICATION AND REVIEW PROCESS

Upon completion of all improvements made within the assessment year for which the exemption is first claimed, the owner shall use the following procedure to secure the tax exemption.

1. The applicant requests a conference with the Community Development Department to discuss applicability of the request to established policy and review the application process.

2. The applicant completes the required forms and submits them along with all required data by February 1st to the Community Development Department. As part of the acceptance procedure, the Community Development Department shall review the submission for completeness. If there is a deficiency, the Department shall notify the applicant within seven (7) days.

3. The Department shall review the application according to the following criteria: 1) conformance with the Urban Revitalization Plan; 2) a finding that the site is within a designated area; 3) a finding that the work has been completed within the time required to qualify for abatement in the assessment year; 4) a finding that the application is consistent with Chapter 404 of the Iowa Code; and 5) a finding that the application is consistent with all applicable city codes and ordinances.

4. Upon review of the application, the Community Development Department will prepare a recommendation and schedule the proposal for City Council consideration.

5. By resolution, the City Council will accept the application and improvements as consistent with the intent of this plan and state law.

6. The City Council will then direct the Community Development Department to transmit a copy of the case file to the Assessor's Office by March 1st as required by Chapter 404 of the Iowa Code.

Appendix A

UNITS:
(6) 9-PLEX = 54 UNITS
(3) 32-PLEX = 96 UNITS
TOTAL = 150 UNITS

PARKING:
(3) DETACHED GARAGES = 30
ATTACHED GARAGES = 78
TANDEM STALLS = 78
SURFACE STALLS = 102 (6 HC)
CLUBHOUSE = 15 (2 HC)
TOTAL PARKING SHOWN: 288 (1:1.92)
1 CLUBHOUSE W/ POOL
DUMPSTER LOCATIONS 5

UNITS:
(2) 17-PLEX = 34 UNITS
(2) 17-PLEXB = 34 UNITS
(2) 22-PLEX = 44 UNITS
(2) 6-PLEX = 6 UNITS
TOTAL = 118 UNITS
PARKING:
ATTACHED GARAGES = 48
TANDEM STALLS = 48
SURFACE STALLS = 128
TOTAL RESIDENTIAL PARKING SHOWN: 224 (1:1.89)
DUMPSTER LOCATIONS 3

COMMERCIAL/RETAIL: 12,000 SF

PARKING:
TOTAL COMMERCIAL PARKING SHOWN: 62 (4 HC)

studio 951
SHIVE-HATTERY

63.12' 242.91' 266.82' 156.74' 138.69' 80.35' 80.35' 82.00' 75.00' 80.79' 266.28' 17.46'

21.68 ACRES
263 UNITS=
12.13 UNITS/ACRE

FUTURE
ASSISTED
LIVING
6.24 ACRES

WATER
TOWER

RETENTION AREA

9-PLEX

32-PLEX 3 STORY W/ WALKOUT

10-STALL

2-STORY CLUBHOUSE 2700SF

POOL

DOG RUN

17-PLEX 2-STORY

22-PLEX 2-STORY W/ WALKOUT

17-PLEXB 2-STORY W/ WALKOUT

PLAZA

COMMERCIAL 6,000SF w/ 6 UNITS ON 2ND FLOOR

LIFT STATION

OUTLOT A

OUTLOT B

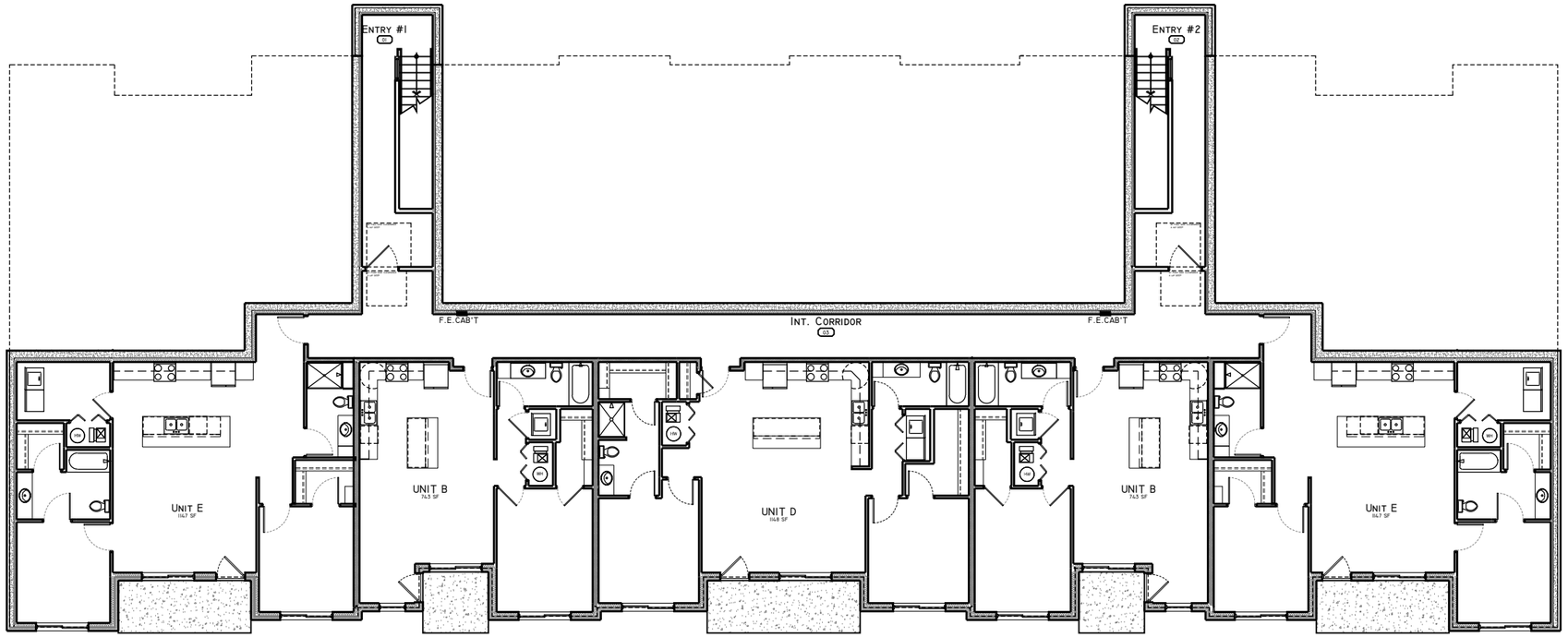
OUTLOT C

NORTH

SITE PLAN

1"=100'-0"
0 100 200

5191150: whispering oaks | COUNCIL BLUFFS, IOWA | 2022.03.08

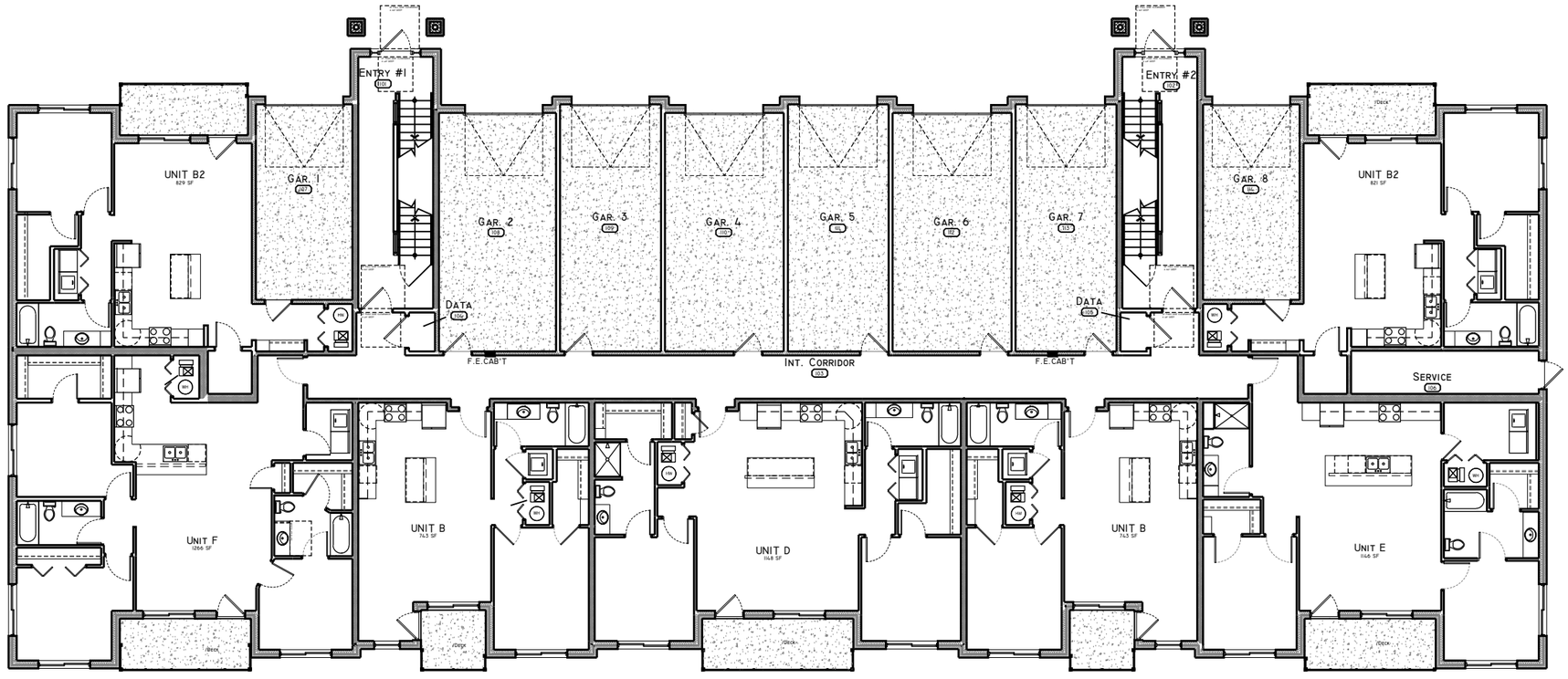


33-PLEX
LOWER LEVEL PLAN

1/16"=1'-0"

0 1 4 8 16

whispering oaks	COUNCIL BLUFFS, IOWA	2021.07.30



33-PLEX
MAIN LEVEL PLAN

1/16"=1'-0"

0 1 4 8 16

whispering oaks	COUNCIL BLUFFS, IOWA	2021.07.30

33-PLEX
SECOND LEVEL PLAN

1/16"=1'-0"

0 1 4 8 16

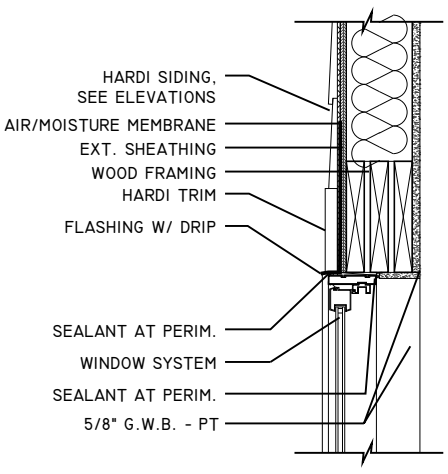
whispering oaks	COUNCIL BLUFFS, IOWA	2021.07.30

33-PLEX
THIRD LEVEL PLAN

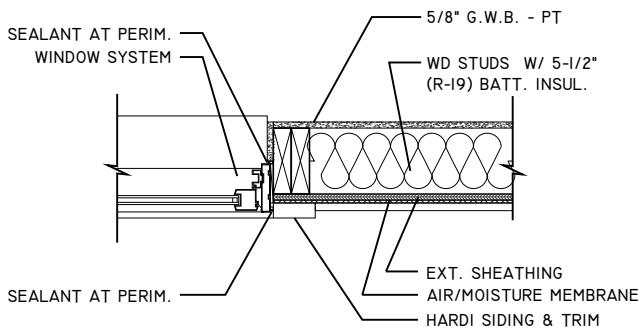
1/16"=1'-0"

0 1 4 8 16

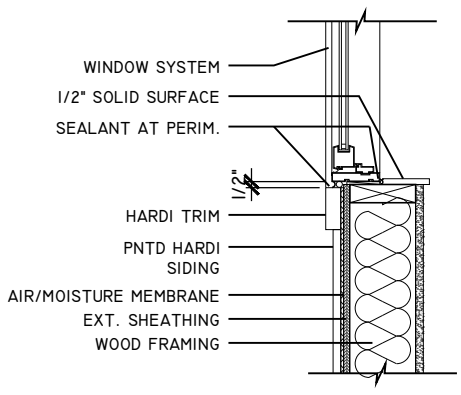
whispering oaks	COUNCIL BLUFFS, IOWA	2021.07.30



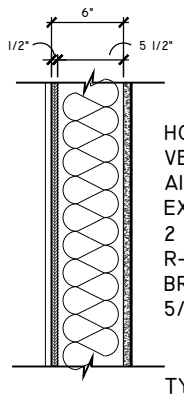
W | 8	WINDOW HEAD DETAIL
1" = 1'-0"	@ SIDING



W | 4	WINDOW JAMB DETAIL
1" = 1'-0"	@ SIDING



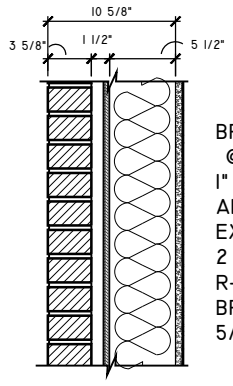
W | 1	WINDOW SILL DETAIL
1" = 1'-0"	@ SIDING



HORIZ. HARDI SIDING OR
VERTICAL HARDI SIDING
AIR/MOISTURE MEMBRANE
EXT. SHEATHING
2 x 6 WOOD STUD @ 16" O.C.
R-19 BATT INSULATION
BREATHABLE POLY
5/8" G.W.B.

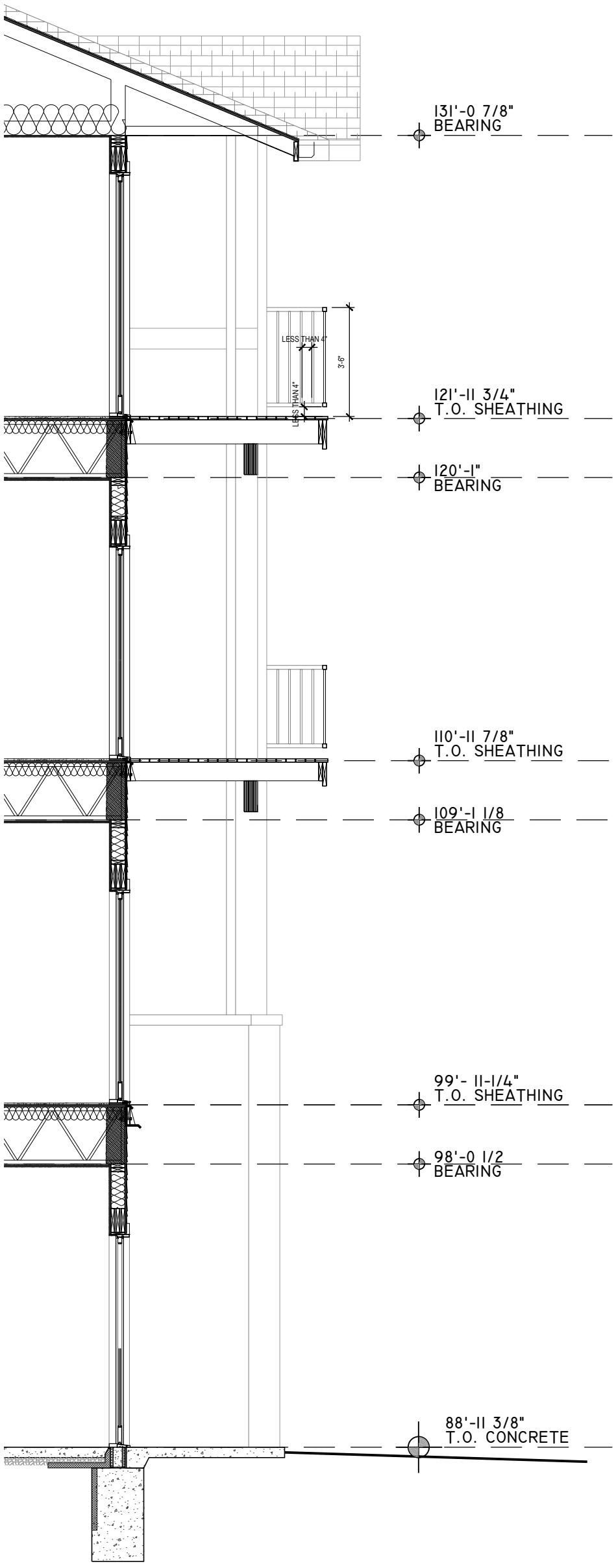
TYPICAL EXTERIOR WALL
TO BE UL 305 OR UL 309

F | 4	1-HR EXTERIOR WALL
NO SCALE	@ SIDING



BRICK MASONRY VENEER TIED
@ 16" O.C. E.W.
1" AIR SPACE
AIR/MOISTURE MEMBRANE
EXT. SHEATHING
2 x 6 WOOD STUD @ 16" O.C.
R-19 BATT INSULATION
BREATHABLE POLY
5/8" G.W.B.

V | 7	1-HR EXT. 2X6 WALL
NO SCALE	@ BRICK (UL U305)



33-PLEX
TYPICAL SECTION

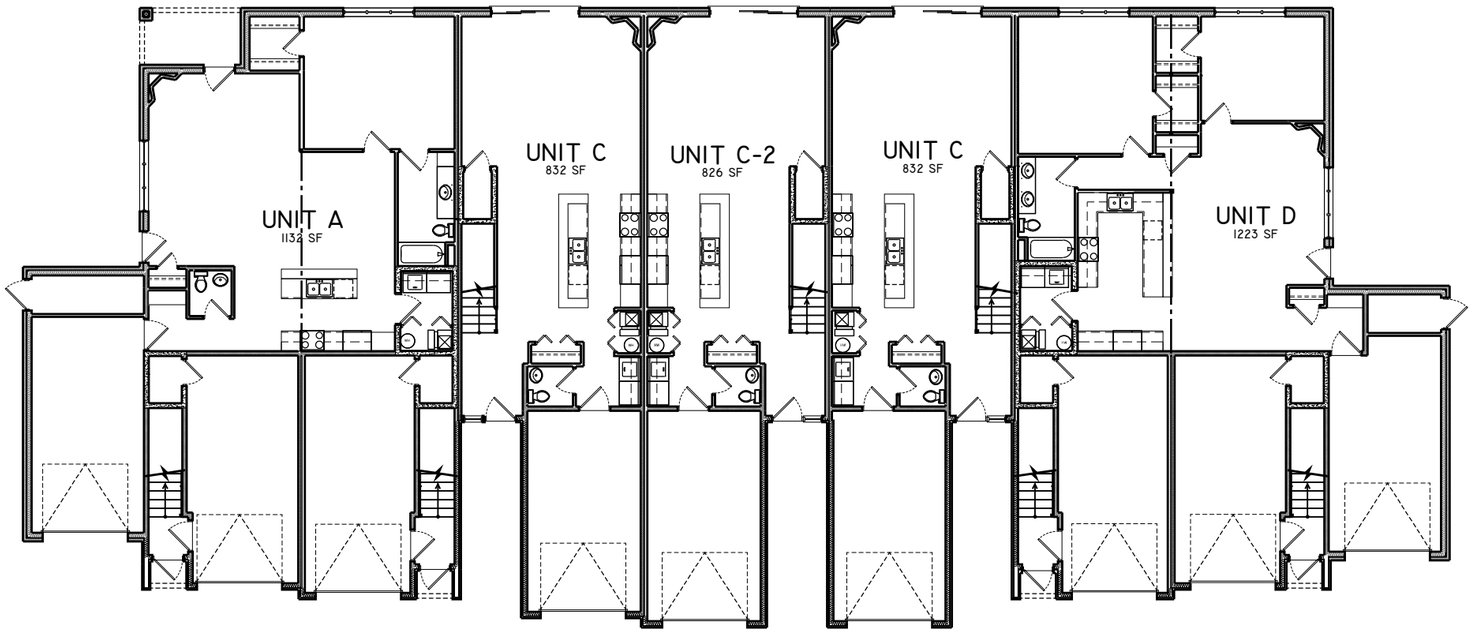
1/4"=1'-0"
0 1 2 4 8

whispering oaks	COUNCIL BLUFFS, IOWA	2021.07.30

studio 951
SHIVE-HATTERY

33-PLEX | *whispering oaks* | COUNCIL BLUFFS, IOWA | 2021.07.30

33-PLEX | *whispering oaks* | COUNCIL BLUFFS, IOWA | 2021.07.30

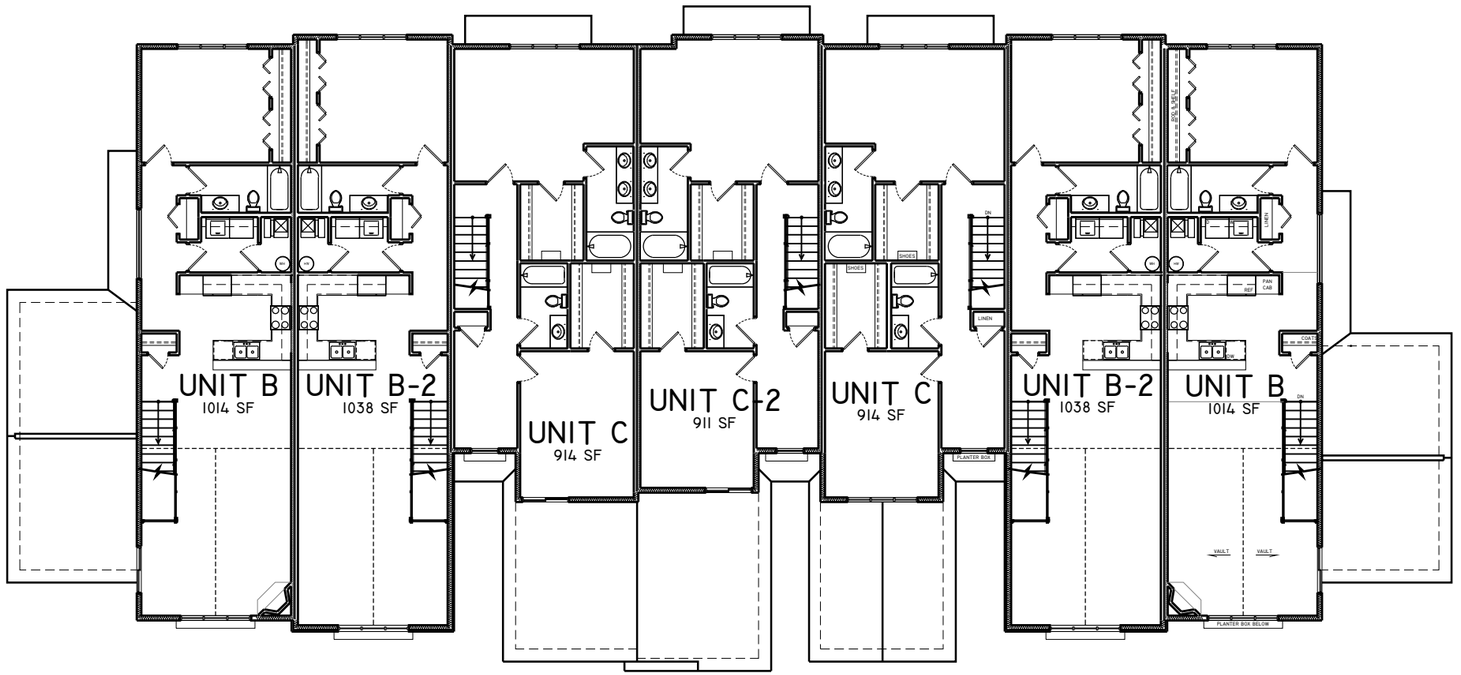


9-PLEX
MAIN LEVEL PLAN

1/16"=1'-0"

0 1 4 8 16

whispering oaks	COUNCIL BLUFFS, IOWA	2021.07.30



9-PLEX
2ND LEVEL PLAN

1/16"=1'-0"

0 1 4 8 16

whispering oaks	COUNCIL BLUFFS, IOWA	2021.07.30

studio 951
SHIVE-HATTERY

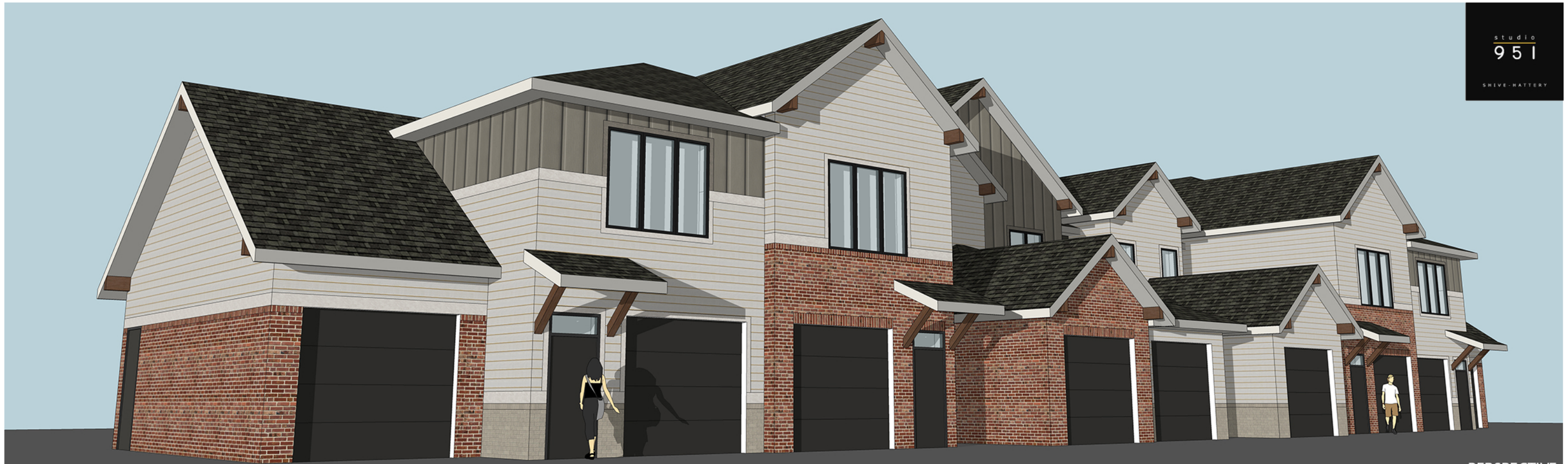
FRONT ELEVATION

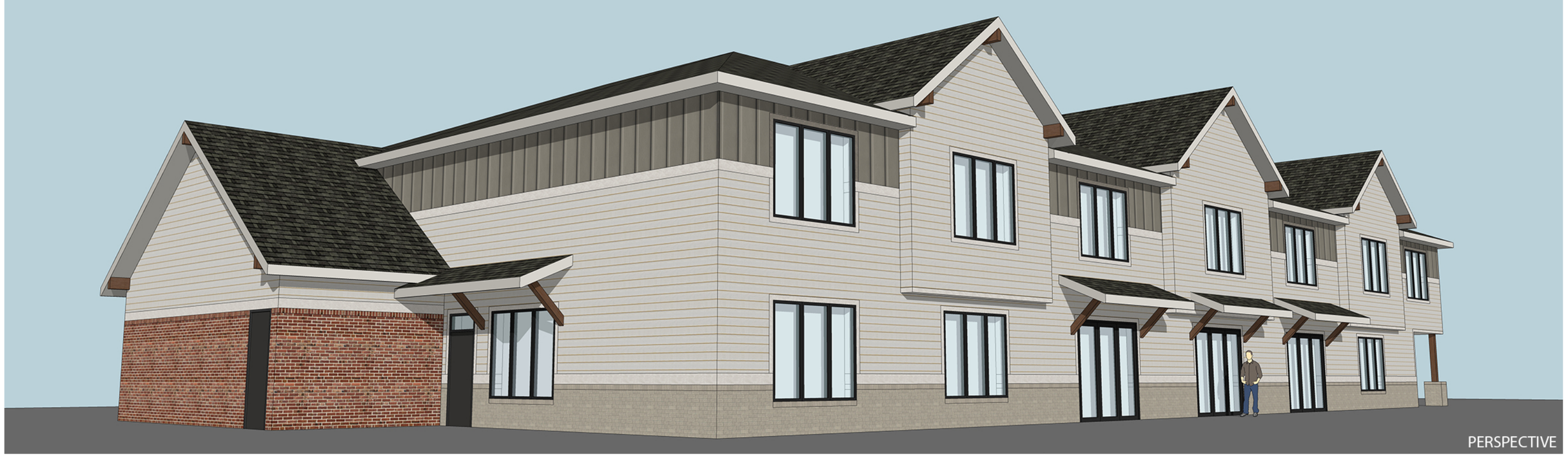
SIDE ELEVATION

SIDE ELEVATION

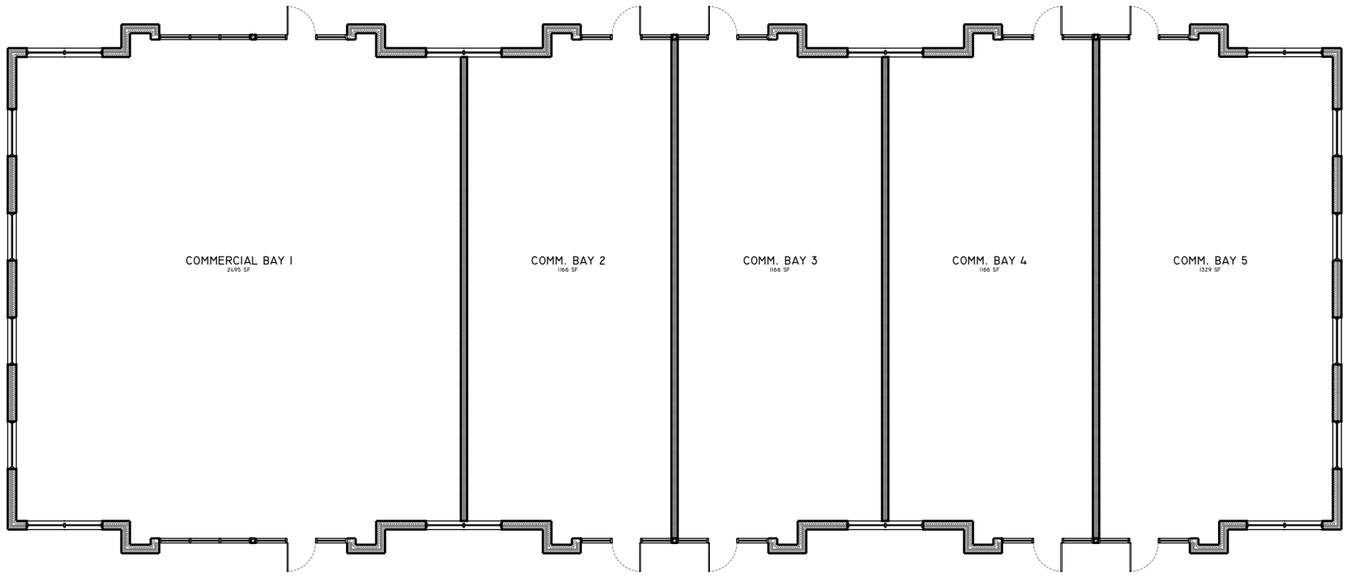
BACK ELEVATION

9-PLEX | *whispering oaks* | COUNCIL BLUFFS, IOWA | 2021.07.30





9-PLEX | *whispering oaks* | COUNCIL BLUFFS, IOWA | 2021.07.30

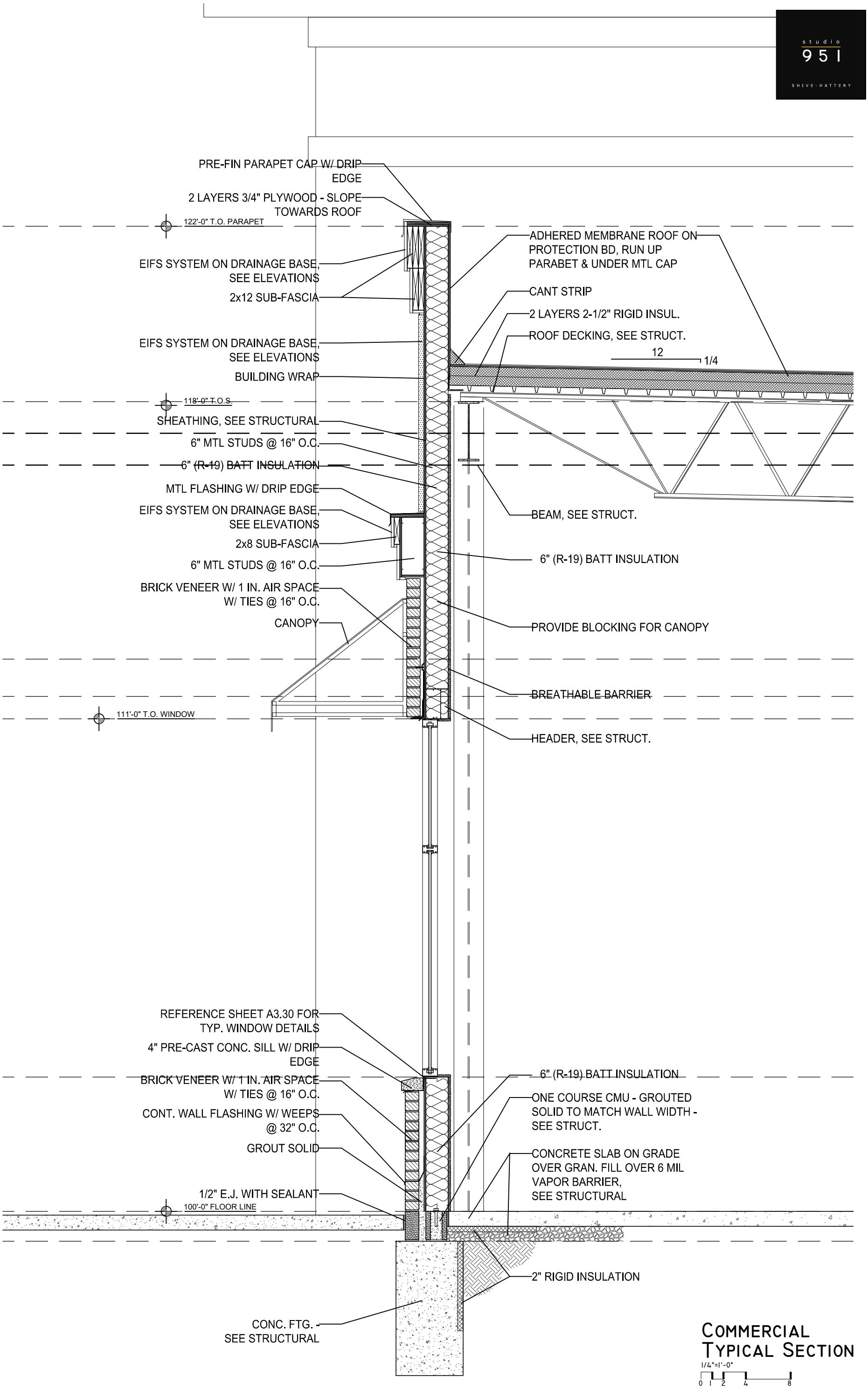


COMMERCIAL MAIN LEVEL PLAN

1/16"=1'-0"

0 1 4 8 16

whispering oaks	COUNCIL BLUFFS, IOWA	2021.07.30



COMMERCIAL TYPICAL SECTION

1/4"=1'-0"

0 1 2 4 8

whispering oaks	COUNCIL BLUFFS, IOWA	2021.07.30

COMMERCIAL | *whispering oaks* | COUNCIL BLUFFS, IOWA | 2021.07.30

SIGNAGE
SIGNAGE SIGNAGE
SIGNAGE SIGNAGE
PERSPECTIVE

SIGNAGE SIGNAGE
SIGNAGE SIGNAGE
SIGNAGE
PERSPECTIVE

RESOLUTION NO. 22-301

A RESOLUTION APPROVING THE URBAN REVITILIZATION PLAN FOR THE WHISPERING OAKS URBAN REVITALIZATION AREA.

WHEREAS, the City of Council Bluffs has the authority under Chapter 404 of the Iowa Code to declare an area to be an urban revitalization area; and

WHEREAS, on October 24, 2022, the City Council adopted Resolution 22-260, which directed staff to prepare a plan for the Whispering Oaks Urban Revitalization Area and set a public hearing for November 28, 2022; and

WHEREAS, on November 8, 2021, the City Planning Commission reviewed the Whispering Oaks Urban Revitalization Plan and found it consistent with the goals and objectives of the City's *Bluffs Tomorrow: 2030 Plan,* which is the general plan for the development of the City of Council Bluffs; and

WHEREAS, after careful study and consideration, this City Council finds that the development of the area is necessary in the interest of the public health, safety and/or welfare of the residents of the City.

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

That the City Council hereby approves the Whispering Oaks Urban Revitalization Plan.

ADOPTED
AND
APPROVED November 28, 2022

Matthew J. Walsh Mayor

ATTEST:

Jodi Quakenbush City Clerk

Council Communication

Department: Community Development
Case/Project No.:
Submitted by: Christopher N. Gibbons, AICP, Planning & Code Compliance Manager

Resolutions 22-302 and 22-303
ITEM 4.D.

Council Action: 11/28/2022

Description

Resolution 22-302 selecting Baxter Development, LLC as the preferred developer of City-owned property legally described as Block 1, River's Edge Subdivision, and to enter a purchase, sale, and development agreement with said developer.

Resolution 22-303 selecting Broadmoor as the preferred developer for City-owned properties legally described as Lot 2, Block 3, River's Edge Subdivision, Replat 2, Block 4, River's Edge Subdivision , and Lots 1-3, Block 5, River's Edge Subdivision, Replat 2, and to enter a purchase, sale, and development agreement with said developer.

Background/Discussion

See attached staff report.

Recommendation

ATTACHMENTS:

Description	Type	Upload Date
Staff Report	Staff Report	11/22/2022
Attachment A - RFP	Other	11/22/2022
Attachment B - Broadmoor Proposal	Other	11/22/2022
Attachment C - Baxter Plan Submittal	Other	11/22/2022
Resolution 22-302	Resolution	11/22/2022
Resolution 22-303	Resolution	11/22/2022

City Council Communication

Department: Community Development	Resolution No.: 22 -	City Council: November 28, 2022

Subject/Title

Resolution selecting Baxter Development, LLC as the preferred developer of City-owned property legally described as Block 1, River's Edge Subdivision, and selecting Broadmoor as the preferred developer for City-owned properties legally described as Lot 2, Block 3, Rivers Edge Subdivision, Replat 2; Block 4, Rivers Edge Subdivision; and Lots 1 through 3, Block 5, Rivers Edge Subdivision, Replat 2, and to enter into a purchase, sale, and development agreement with said developers.

Background/ Discussion

On August 22, 2022, the Council Bluffs City Council approved Resolution No. 22-211 which authorized the Community Development Department to release a Request for Proposals (RFP) for the following six parcels of land in River's Edge Subdivision (see Attachment A):

- Block 1, River's Edge Subdivision (1.72 acres)
- Lot 2, Block 3, River's Edge Subdivision, Replat 2 (.81 acres)
- Block 4, River's Edge Subdivision (.86 acres)
- Lots 1 through 3, Block 5, River's Edge Subdivision, Replat 2 (1.52 acres)

Additionally, City Council approved Resolution No. 22-212 on August 22, 2022 which established the minimum development requirements, competitive criteria, and procedures for disposition of said properties. Since all of the above stated properties are located within the Playland Park Urban Renewal Area, the disposition of these properties must comply with Iowa urban renewal laws. As part of the disposition of property, Iowa urban renewal statutes require the city ensure a reasonable competitive bidding procedure and 30 days to respond. This also includes providing notice by publication in a newspaper having a general circulation to the community 30 days prior to the execution of a contract involving the transfer of property.

On August 23, 2022, the City released the RFP through their IonWave online bidding portal, as well as, directly emailed it to approximately 50 real estate developers/brokers throughout the Council Bluffs-Omaha Metropolitan Area and Midwest region. All proposals were due October 4, 2022 and interested developers were required to submit proposals that demonstrate their capacity to satisfy the requirements of the RFP including:

1. Application
2. Project Summary – A brief written description of the project.
3. Project Plans – A scaled plot plan of the proposed development. The plot plan should illustrate the location of structures, parking areas, ingress and egress, open or landscape areas, etc. The developer must also submit additional information such as elevation drawings, photos of similar projects, typical floor plans, etc.
4. Developer Experience – Provide a listing of previous projects completed, especially with regard to projects that are relevant to the proposed development.
5. Project Timeline – A timeline for the project design, bidding, construction and occupancy.
6. Financial Summary – Developer must provide a proposed cost and source of funding for the project, including a 10-year project proforma. Developer must also outline expected funding sources and projected date all financing will be secured.

7. Project Contingencies – Indicate any special assistance needed to implement the project, such as financial assistance, state or federal applications, or other public participation.

Each proposal was reviewed by staff of the Community Development Department and was scored using the following criteria, which was detailed in the RFP ensuring developers knew how they would be evaluated.

a. Design, Aesthetics and Quality of Construction Materials and Landscaping (40%): River's Edge is a master planned, mixed-use development. The City has an adopted master plan that functions as the primary regulatory document relative to: building setbacks and heights, architectural designs, block designs and mix of land uses, public art, on and off-street parking, street connectivity and design, pedestrians and cyclists, and other special design requirements within the neighborhood. All buildings and their associated architectural appearance/site layouts shall be designed in manner that is deemed compatible with this master development plan and existing development within the neighborhood. A list of materials and visual renderings of the site layout, units and exterior design must be provided as a part of this submittal.

b. Developer's Experience and Capacity (25%): The makeup/description of the developer's project team. The preferred developer will have significant experience in the construction of urban-style, mixed-use commercial and residential development. The names of individuals involved and the roles they will perform must be listed. Provide a description of the qualifications and experience of the specific individuals who will be involved in the work described in this RFP, including staff and other professionals.

c. Number of Units Proposed and Unit Sizes, Building Square Footage, and Minimum Assessed Value (20%): Preference will be given to developers who maximize the number of units, building square footage, and minimum assessed values on each of the identified properties. Proposals will also be scored on the length of time it will take to construct and occupy the project.

d. Funding Sources (15%): Preference will be given to Developers not utilizing either 4% or 9% Low Income Housing Tax Credits (LIHTC). No income restrictions are applicable to the property. Preference will be given to developers who propose projects with 80% or more market rate housing. Provide a list of proposed funding sources and when the funds are expected to be awarded/confirmed.

Discussion

Two developers responded to the RFP. The first proposal was from Broadmoor (Attachment B) who has completed many multi-family and mixed use developments throughout the metropolitan area, including River's Edge. Their proposal included the following:

Parcel B: Lot 2, Block 3, River's Edge Subdivision, Replat 2

- Twenty (20) apartments in a two-story building with a mixture of 1 and 2 bedroom units, attached garages, and off-street parking for their residents. Construction Estimate: $3,060,000.00

Parcel C: Block 4, River's Edge Subdivision

- Twelve three-story, 2-bedroom townhomes with an attached two car garage for each unit. Construction Estimate: $2,280,000.00

Parcel D: Lots 1 through 3, Block 5, River's Edge Subdivision, Replat 2

- Mixed commercial/residential structure similar to their existing developments at 4040 and 4104 Rivers Edge Parkway. This new building would be comprised of 18 apartments, 3,155 square feet of retail, attached garages, and off-street parking for their residents. Broadmoor also expressed concern about the current retail environment in River's Edge and asked for the City to

allow flexibility to convert the 3,155 square feet of retail space into additional apartment units if the retail space is vacate beyond one year. The remaining areas of the parcel not used for buildings and/or parking would be converted into greenspace. Construction Estimate: $2,646,000.00.

Total timeframe for full build-out is approximately three years, as per the submitted proposal.

The second proposal was from Baxter Development, LLC (Attachment C) who has previously worked with the City to develop a mid-rise mixed commercial/residential structure on Parcel A. Their proposal included the following:

Parcel A: Block 1, River's Edge Subdivision

- A 10-story pedestal building with 200+ apartment units (Studio, 1 bedrooms, and 2-bedrooms), 250+ covered parking stalls, and amenity space (retail/restaurant, fitness room, pool, etc.).

Parcel B: Lot 2, Block 3, River's Edge Subdivision, Replat 2

- Thirty-six (36) 2-bedrooms/2.5 bathrooms units in a three-story townhome structure. Off-street parking will be provided via garages and surface parking stalls.

Parcel C: Block 4, River's Edge Subdivision

- Nine (9) row-homes that will contain a mixture of 2-bedrooms/2.5 bathrooms and 3-bedrooms/2.5 bathrooms units. Parking will be provided via garages and surface parking stalls.

Parcel D: Lots 1 through 3, Block 5, River's Edge Subdivision, Replat 2

- Eighteen (18) townhomes and sixteen (16) row-homes similar to those proposed on Parcels B and C stated above. Off-street parking will be provided via garages and surface parking stalls.

The total estimated project costs is $83.6 million dollars and all construction will be completed within two years, as per the submitted proposal.

Recommendation

Staff recommends selecting Baxter Development, LLC as the preferred developer of City-owned property legally described as Block 1, River's Edge Subdivision, and selecting Broadmoor as the preferred developer for City-owned properties legally described as Lot 2, Block 3, Rivers Edge Subdivision, Replat 2; Block 4, Rivers Edge Subdivision; and Lots 1 through 3, Block 5, Rivers Edge Subdivision, Replat 2, and to enter into a purchase, sale, and development agreement with said developers.

Attachments

Attachment A: River's Edge RFP
Attachment B: Broadmoor proposal
Attachment C: Baxter Development, LLC proposal

Submitted by: Christopher Gibbons, Planning Manager, Community Development Department
Approved by: Courtney Harter, Director, Community Development Department

City of Council Bluffs, Iowa
Request for Proposals
Playland Park (River's Edge) Neighborhood Development
Proposal Due Date: October 4, 2022

The City of Council Bluffs through its Community Development Department is accepting proposals for the purchase and development of six parcels, approximately 4.91 acres of real estate, within the Playland Park (River's Edge) Neighborhood. River's Edge is a premier mixed-use redevelopment project located in the west end of Council Bluffs, Iowa. The project site is strategically located along the north side of Interstate 480, between the Missouri River and Interstate 29, and immediately across the Missouri River from Downtown Omaha, Nebraska. Over the past six years, River's Edge has experienced a tremendous amount of new growth in the form of a new office building, parking garage, multi-family apartments, mixed-use commercial/residential structures, and townhomes. The City is now seeking proposals from interested and qualified developers to build a mixture of condominiums, multi-family apartments, mixed commercial/residential structures, and/or townhomes on six of the seven remaining parcels of land within River's Edge.

The following properties are the subject of this Request for Proposals (RFP):

- Parcel A: Block 1, River's Edge Subdivision (1.72 acres)
- Parcel B: Lot 2, Block 3, River's Edge Subdivision, Replat 2 (.81 acres)
- Parcel C: Block 4, River's Edge Subdivision (.86 acres)
- Parcel D: *This parcel contains three separate legally platted lots of record that are generally contiguous to one another. The City is packaging all three lots together as one development site due to their size, shape, and location within the River's Edge Neighborhood (1.52 acres).*

    a. Lot 1, Block 5, River's Edge Subdivision, Replat 2 (.75 acres)
    b. Lot 3, Block 5, River's Edge Subdivision, Replat 2 (.35 acres)
    c. Lot 2, Block 5, River's Edge Subdivision, Replat 2 (.42 acres)

Interested developers may submit a development proposal for one or more of the subject parcels stated in this RFP. A map depicting the location of each subject property within River's Edge is included with this RFP as Attachment 'A'.

Site Description

River's Edge is a 26-acre master-planned, mixed-use redevelopment project located along the Missouri River in the west end of Council Bluffs, Iowa. It's within close proximity of Downtown Omaha, Nebraska, as well as, Tom Hanafan River's Edge Park and the Bob Kerrey Pedestrian Bridge. Other recreational amenities that are planned to be constructed within, or immediately adjacent to, to this neighborhood includes:

- Belle's Play Garden (2022)
- Tree Top Walk (2023)
- Observation Tower (2023)
- Climbing and Adventure Course (2023)
- Waterfront Pier (2024)

The neighborhood is also designed to incorporate current best urban planning practices such as: mixture of land uses and housing typologies; buildings constructed with minimal setback distances

from the adjacent public realm, pedestrian mobility and walkability via sidewalks, raised bike lanes, and sidewalk separations from the on-street parking and roadways; landscaped street rights-of-way, public gathering/meeting spaces, and high quality building architecture and designs. A map illustrating existing development within the neighborhood is included with this RFP as Attachment 'B'.

The primary vehicular access point into the River's Edge is currently N. 41st Street; however, this will change to N. 40th Street once the Iowa Department of Transportation completes construction of Segment 4 of the Council Bluffs Interstate System Program in 2023-2024. A complete overview of the Council Bluffs Interstate System Program can be viewed online by visiting the following website: http://councilbluffsinterstate.iowadot.gov/ . Avenue B serves as a secondary vehicular access point.

All properties within River's Edge have access, or are planned to have access, to full utilities such as sanitary sewer, storm sewer, water, electricity, natural gas, and telecommunications. Individual service lines may need to be extended to accommodate projects on the subject properties. 5G internet/telecommunication technology is also available within the neighborhood.

All of the properties included in this RFP are zoned R-4/High Density Multi-Family Residential District with an adopted PR/Planned Residential Overlay/development plan assigned to them. Per Section 15.11 of the Council Bluffs Municipal Code (Zoning Ordinance), the R-4 District is intended *"to provide for development of high density multi-family housing. This district allows for a mixture of compatible uses with high density urban neighborhoods. This district is most appropriate in central areas of the community or in areas which have full services".* A copy of the complete R-4 District zoning regulations is included with this RFP as Attachments 'C' and 'D'.

River's Edge is subject to an adopted master development plan that was last amended and approved by the Council Bluffs City Council in 2014 (see Attachment E). This development plan functions as the primary regulatory document relative to: building setbacks and heights, architectural designs, block designs and mix of land uses, public art, on and off-street parking, street connectivity and design, pedestrians and cyclists, and other special design requirements within the neighborhood. All subject properties in this RFP have a preferred land use and building typology identified in the adopted master development plan, as follows:

- **Parcel A**: This property contains 1.72 acres of land and is situated at the base of the Bob Kerry Pedestrian Bridge/River's Edge Pavilion with picturesque views of the Downtown Omaha skyline. The master development plan identified this property as an ideal location for a mid-rise condominium tower on top of a pedestal building that contains structured parking. The condominium tower and associated pedestal building must have a minimum combined height of 10-12 stories, and a total minimum assessed value of $34 million.
- **Parcel B**: This property contains .81 acres of land and is situated south of Avenue B, west of N. 40th Street, and north of River's Edge Parkway. The westerly half of the property was recently developed with off-street parking spaces that will be shared with the property located at 4040 Rivers Edge Parkway. The master development plan identified this property as an ideal location for a mixed residential/commercial structure that ranges between 3-4 stories in height. The total minimum assessed value for a mixed commercial/residential structure on this property is negotiable.
- **Parcel C**: This property contains .86 acres of land and is situated south of Avenue B, east of N. 40th Street, and north of River's Edge Parkway. This property is located immediately east of the aforementioned Parcel 'B' and is identified as an ideal location for a mixed

residential/commercial structure that ranges between 3-4 stories in height. The total minimum assessed value for a mixed commercial/residential structure on this property is negotiable.

- **Parcel D**: This parcel contains three separately platted lots of record that are being marketed together due to the uniqueness of their size, shape, and location within the Playland Park (River's Edge) Neighborhood. The City anticipates these lots may be need to be replatted into one or two parcels in order to assist with development efforts. The total combined land area for Parcel D is 1.52 acres and its located west of N. 40th Street, south of River's Edge Parkway, and east of N. 41st Street. The parcel is an ideal location for new a multi-family apartment building(s), and/or a mixed commercial/residential building with ~~and~~ associated off-street parking. The total minimum assessed value for a multi-family apartment and commercial/retail buildings on these properties is negotiable.

River's Edge is also subject to a set of private covenants which contains specific standards for items including, but not limited to, the following: signage, landscaping, building architecture, site development (i.e. maximum building heights, parking, trash enclosures, exterior lighting, etc.), cross access easements, utilities, etc. The covenants also establish and provide clarity on the duties and powers of the River's Edge Master Property Owners Association and the River's Edge Architectural Control Committee. A copy of the covenants are included with this RFP as Attachment 'F'. The City encourages all interested developers to review these covenants in advance of designing and submitting their proposals for consideration. Furthermore, any requested amendments to these covenants must be clearly stated in the submitted proposal for the City and the Architectural Control Committee to review.

All subject properties included in this RFP are located in flood zone X (protected by levee).

Value of the Property

In December 2021, the City of Council Bluffs hired the firm Mitchell & Associates, Inc., to complete an updated appraisal of the subject properties. The most recent market value for each property is stated below:

- Parcel A: Block 1, River's Edge Subdivision ($190,000.00)
- Parcel B: Lot 2, Block 3, River's Edge Subdivision, Replat 2 ($88,000.00)
- Parcel C: Block 4, River's Edge Subdivision ($94,000.00)
- Parcel D: Total combined market value ($166,000.00)
    a. Lot 1, Block 5, River's Edge Subdivision, Replat 2 ($82,000.00)
    b. Lot 3, Block 5, River's Edge Subdivision, Replat 2 ($38,000.00)
    c. Lot 2, Block 5, River's Edge Subdivision, Replat 2 ($46,000.00)

The City intends to sell each property for at least fair market value. A copy of the appraisal report completed January 1, 2022 can be made available upon request.

Inquiries, Questions and Deadlines

All inquiries/questions regarding this RFP must be directed via the electronic submission system at https://cbiabids.ionwave.net/ . Any changes or additions to the RFP information will be sent to via Ion Wave. Any other contact in reference to this RFP prior to the time of an award decision will not be addressed.

RFP Issued: **August 23, 2022**

Q&A Ends: **September 12, 2022 at 3:00 pm (CST)**

Answers Posted: **September 16, 2022 by 3:00 pm (CST)**

RFP Due: **October 4, 2022 by 5:00 p.m. (CST)**

Proposals submitted by mail, facsimile transmission (fax) or electronic mail (email) will not be accepted. Proposals received after the submission deadline will not be accepted.

Proposal and Submittal Requirements
In a clear and concise manner, developers must submit proposals that demonstrate the developer's capacity to satisfy the requirements of this RFP. Proposals do not need to be elaborate or costly, but should be prepared in a professional manner. The following information to be submitted for consideration:

1. Application – must be completed and attached as proposal cover page (see Attachment G).

2. Project Summary – A brief written description of the project.

3. Project Plans – A scaled plot plan of the proposed development. The plot plan should illustrate the location of structures, parking areas, ingress and egress, open or landscape areas, etc. The developer must also submit additional information such as elevation drawings, photos of similar projects, typical floor plans, etc.

4. Developer Experience – Provide a listing of previous projects completed, especially with regard to projects that are relevant to the proposed development.

5. Project Timeline – A timeline for the project design, bidding, construction and occupancy.

6. Financial Summary – Developer must provide a proposed cost and source of funding for the project, including a minimum 10-year project proforma. Developer must also outline expected funding sources and projected date all financing will be secured.

7. Project Contingencies – Indicate any special assistance needed to implement the project, such as financial assistance, state or federal applications, or other public participation.

Proposal Evaluation
The project proposals will be reviewed based on the following evaluation criteria:

1. Design, Aesthetics and Quality of Construction Materials and Landscaping (40%): River's Edge is a master planned, mixed-use development. The City has an adopted master plan that functions as the primary regulatory document relative to: building setbacks and heights, architectural designs, block designs and mix of land uses, public art, on and off-street parking, street connectivity and design, pedestrians and cyclists, and other special design requirements within the neighborhood. All buildings and their associated architectural appearance/site layouts shall be designed in manner that is deemed compatible with this master development plan and existing development within the neighborhood. A list of materials and visual renderings of the site layout, units and exterior design must be provided as a part of this submittal.

2. Developer's Experience and Capacity (25%): The makeup/description of the developer's project team. The preferred developer will have significant experience in the construction of urban-style, mixed-use commercial and residential development. The names of individuals involved and the roles they will perform must be listed. Provide a description of the qualifications and experience of the specific individuals who will be involved in the work described in this RFP, including staff and other professionals.

3. Number of Units Proposed and Unit Sizes, Building Square Footage, and Minimum Assessed Value (20%): Preference will be given to developers who maximize the number of units, building square footage, and minimum assessed values on each of the identified properties. Proposals will also be scored on the length of time it will take to construct and occupy the project.

4. Funding Sources (15%): Preference will be given to Developers not utilizing either 4% or 9% Low Income Housing Tax Credits (LIHTC). No income restrictions are applicable to the property. Preference will be given to developers who propose projects with 80% or more market rate housing. Provide a list of proposed funding sources and when the funds are expected to be awarded/confirmed.

The above information will be used to select qualified developers. Upon developer selection, development agreements will be negotiated and executed.

Potential Development Incentives Available

- The property may be eligible for Tax Increment Financing and/or property tax exemption and these items will be negotiated by the city on a project specific basis.
- Possible energy incentives may be obtained from MidAmerican Energy and Black Hills Energy depending on project design. Consultation should be initiated with each company prior to final design.
- Possible land contribution or reduced purchase price.

General Provisions

1) Submittal Ownership/Costs: Upon submission, all information becomes the property of the City of Council Bluffs. The City has the right to use any or all ideas presented in any submission in the response to this RFP, whether or not the submittal results in a contract with the submitting Developer. All costs for development of the written submittal and any oral presentation are entirely the obligation of the Developer and shall not be reimbursed.

2) Non-Warranty of Request for Qualifications: The City shall not be responsible for any error or omission in this RFP, nor for the failure on the part of the Developers to ensure that they have all the information necessary to affect their submittals.

3) Request for Clarification: The City reserves the right to request clarification of information submitted and to request additional information of one or more Developers, either orally or in writing.

4) Acceptance/Rejection of Submittals: The City reserves the right to accept or reject any or all submittals in whole or in part, with or without cause, to waive technicalities, or to accept submittals or portions thereof, which, in the City's judgment, best serve the interest of the City of Council Bluffs.

   The City reserves the right to allow alterations, modifications or revisions to individual elements of the Scope of Services any time during the period of contract, which results from this RFP.

5) Indemnification: The selected Developer shall: (1) faithfully perform said Contract on City's part and satisfy all claims and demands incurred for the same; (2) fully indemnify and save harmless the City from all costs and damages which said City may suffer by reason of failure to do so; and (3) fully reimburse and repay said City all outlay and expenses which said City may incur in making good any default.

   The selected Developer shall protect, defend, indemnify and save harmless the City, its agents, boards and employees, collectively referred to as "Indemnitees", from and against costs and suits, actions, claims, losses, liability or damage of any character, and from and against costs and expenses, including in part attorney fees, incidental to the defense of such suits, actions, claims, sickness, including death, to any person, or damage to property, including in part the loss of use resulting there from, arising from any act or omission of the Developer, or his employees, servants, agents, subcontractors or suppliers, or anyone else under the Developer's direction and control, and arising out of, occurring in failure of performance of any work or services called for by the Contract, or from conditions created by the performance or non-performance of said work or services. The Developer's indemnification hereunder shall apply without regard to whether acts or omissions of one or more of the Indemnitees would otherwise have made them jointly or derivatively negligent or liable for such damage or injury, expecting only that the Developer shall not be obligated to so protect, defend, indemnify and save harmless if such damage or injury is due to the sole negligence of one or more of the Indemnitees.

6) Insurance: The selected Developer shall carry and maintain during the life of the contract insurance as deemed appropriate by the City of Council Bluffs. Specific amounts and types of insurance will be detailed in the negotiated development agreement.

7) Collusion: The Developer, by submitting a Proposal, declares that the submission is made without any previous understanding, agreement or connections with any persons, Developers or corporations making a competing submission on the same project, and that it is in all respects, fair and in good faith without any outside control, collusion or fraud.

8) Consideration of Submittals: Proposals will be considered from Developers normally engaged in providing and performing services as specified in this RFP. The Developer must have adequate organization, facilities, equipment and personnel to ensure prompt and efficient service to the City. The City reserves the right to inspect the facilities and organization or to take any other action necessary to determine the ability to perform in accordance with specifications, terms and conditions before recommending any award.

9) Discrimination Clause: According to the City of Council Bluffs Municipal Code 1.40, discrimination of race, color, religion, creed, sex, sexual orientation, gender identity, national

origin, age or mental or physical disability is prohibited in any form. This extends to any and all partner agencies and contractual obligations.

City of Council Bluffs, Iowa

Request for Proposals Cover Page

Project Information

Project Name Rivers Edge - Playland Park Neighborhood Development

Organization Information

Name of Developer Broadmoor

Mailing Address 809 N 96th Street, Omaha, NE 68114

Contact Person(s) Bob Stratton

Telephone 402-392-1800 Fax

Email Address bstratton@broadmoor.cc

Partners

Type	Name and Address	Contact Person
Project Development	Broadmoor 809 N 96th Street Omaha, NE 68114	Bob Stratton
Architectural Firm	Womack & Hampton Architects LLC 4311 Oak Lawn Ave, #50 Dallas, TX 75219	Craig Lewis
Engineering Firm	Schnackel Engineers, Inc. 3035 S 72nd Street Omaha, NE 68124	Greg Schnackel Mel Smeall
Other (specify) Structural Engineers	Reznicek Engineering, Inc. 14811 Berry Circle Omaha, NE 68137	Mark Reznicek
Other (specify) Civil Engineers	Thompson, Dreesen & Dorner, Inc. 10836 Old Mill Road Omaha, NE 68154	Joe Dethlefs
Other (specify) Landscaping	Dave Fjare, PLA	Dave Fjare

10-4-22

River's Edge RFP, Broadmoor to City of Council Bluffs

Project Summary

Broadmoor has developed, owns and manages apartments on (3) of the lots in River's Edge. Below is a recap of those lots.

(1) 3-story building over one level of parking garage with 157 apartment homes, with elevators, pool, clubroom, fitness and resident business lounge.

(2) 2-story buildings with 18 apartment homes in each.

(2) 3-story buildings with 18 apartments homes in each and 3,150 square feet of retail in each building.

After reviewing the original master plan criteria for the remaining parcels we present a mix of apartments, townhomes and retail that is best suits the area for long term stability in the community and neighborhood. Broadmoor wants to continue the successful development of River's Edge.

Funding sources are secured and we can start in 2023. Thank you for your consideration.

Project Plans

Parcel A: Block 1 (1.72 acres – 74,923sf)

We are certainly interested in discussing a luxury apartment building on this parcel of up to 84 apartment homes.

Parcel B: Lot 2 Block 3 (.81 acres – 35,283sf)

We propose 20 apartments in a 2-story building with a mix of 1 and 2 bedrooms, attached garages and adequate parking for our residents.

Construction Estimate $3,060,000

City's Land Value $88,000 ($2.30/sf)

Parcel C: Block 4 (.86 acres – 37,461sf)

We propose (12) 3-story, 2 bedroom/study townhomes with attached 2 car garage each. The lot is narrow and backs into single family backyards. We believe this is the best design for the lot and the neighborhood.

Construction Estimate $2,280,000

City's Land Value $94,000 ($2.51sf)

Parcel D: Lot 1, 2, 3, Block 5 Replat 2 (1.52 acres – 66,211sf)

This parcel allows for the same apartment/retail building as we have on the northwest and northeast corners of River's Edge Parkway and 41st Street. The building will have (18) apartments, 3,155 square feet of retail, attached garages and adequate parking for our residents. Although our concern is the appetite for retail/commercial in the area and the fact that we receive 35% less rent per square foot

than the apartments, we like retail on that corner, which is also the original master plan intent. The new roads being installed should benefit the River's Edge area. We request the flexibility to convert that 3,155 square feet to apartments if the retail is vacant beyond 1 year. Our best efforts would be put forth to lease the retail.

Lot D is an irregular shape which makes it difficult to maximize the parcel. Our plan creates an open green space with trees for a park like setting giving a nice buffer to the new roads.

Construction Estimate $2,646,000

City's Land Value $166,000 ($2.50sf)

Developer Experience

Broadmoor successfully developed 358 units at River Park Apartments in Council Bluffs between 1987 and 2008 and continues to own and operate those today. At River's Edge, we have developed 229 units thus far. We are an experienced, long term *local* developer that has developed and currently manages over 4,800 units in the metro area and over 2,200 units more between Lincoln, Des Moines and Sioux City. Our portfolio also includes 315,000 square feet of office and retail. Broadmoor brings a wealth of experience and dedication to projects with excellent on-site teams that are second to none. We work hard to provide our residents carefree, better living.

Project Timeline

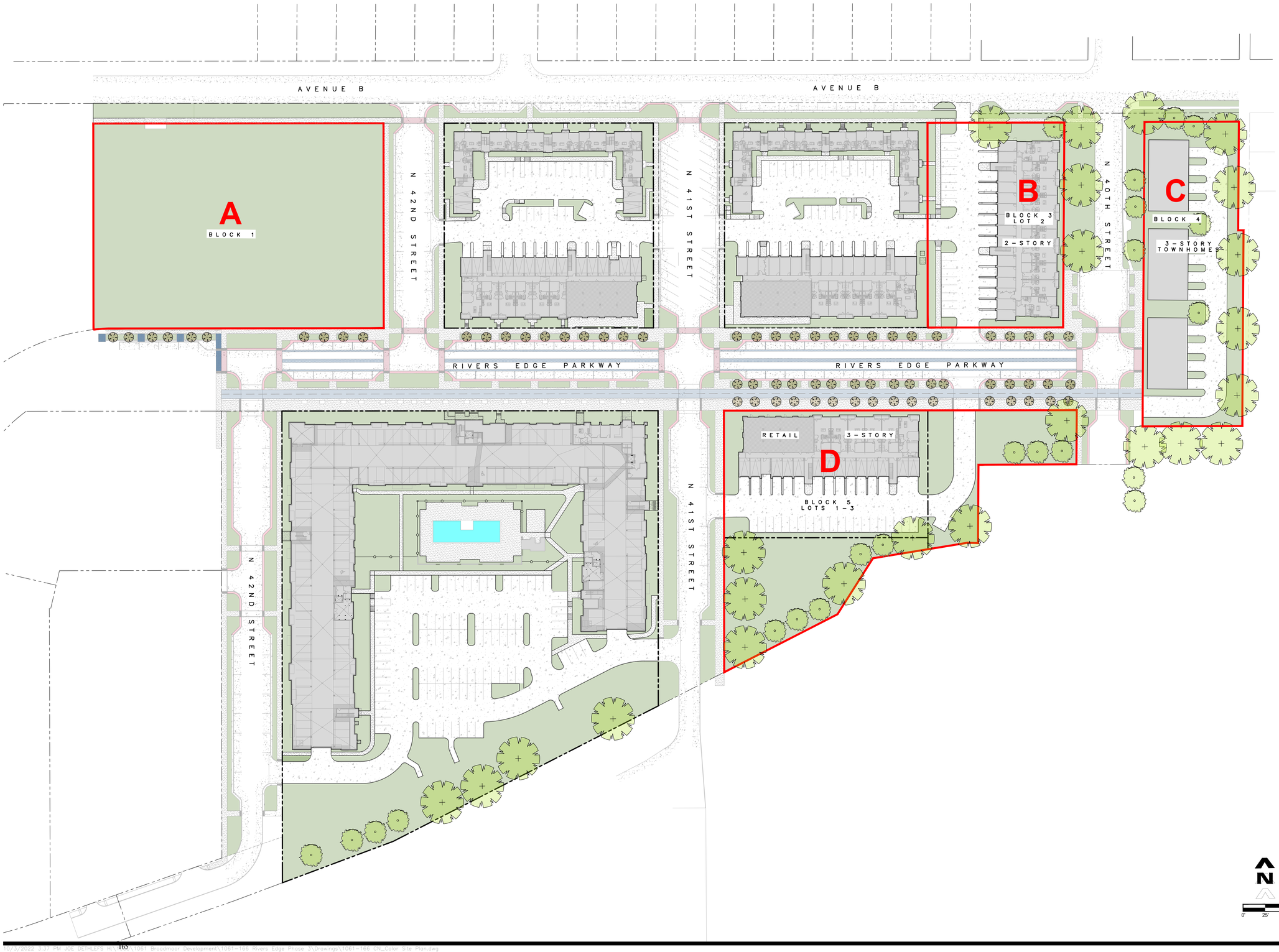
We can start in 2023 and will take 3 years to complete this project once we begin.

Financial Summary

See attached file.

Project Contingencies

Broadmoor requests the same tax assistance we received on our initial River's Edge development.



TD2 engineering & surveying
thompson, dreessen & dorner, inc.
10836 Old Mill Rd
Omaha, NE 68154
p.402.330.8860 www.td2co.com

Project Name

Rivers Edge
Phase 3

Client Name

Broadmoor
Development

Professional Seal

Revision Dates

No.	Description	MM-DD-YY
--	--	--
--	--	--
--	--	--
--	--	--
--	--	--
--	--	--
--	--	--
--	--	--
--	--	--
--	--	--
--	--	--
--	--	--
--	--	--
--	--	--
--	--	--
--	--	--
--	--	--
--	--	--
--	--	--
--	--	--
--	--	--
--	--	--
--	--	--

Drawn By: GTN Reviewed By: JAD
Job No.: 1061-166 Date: 09.30.22

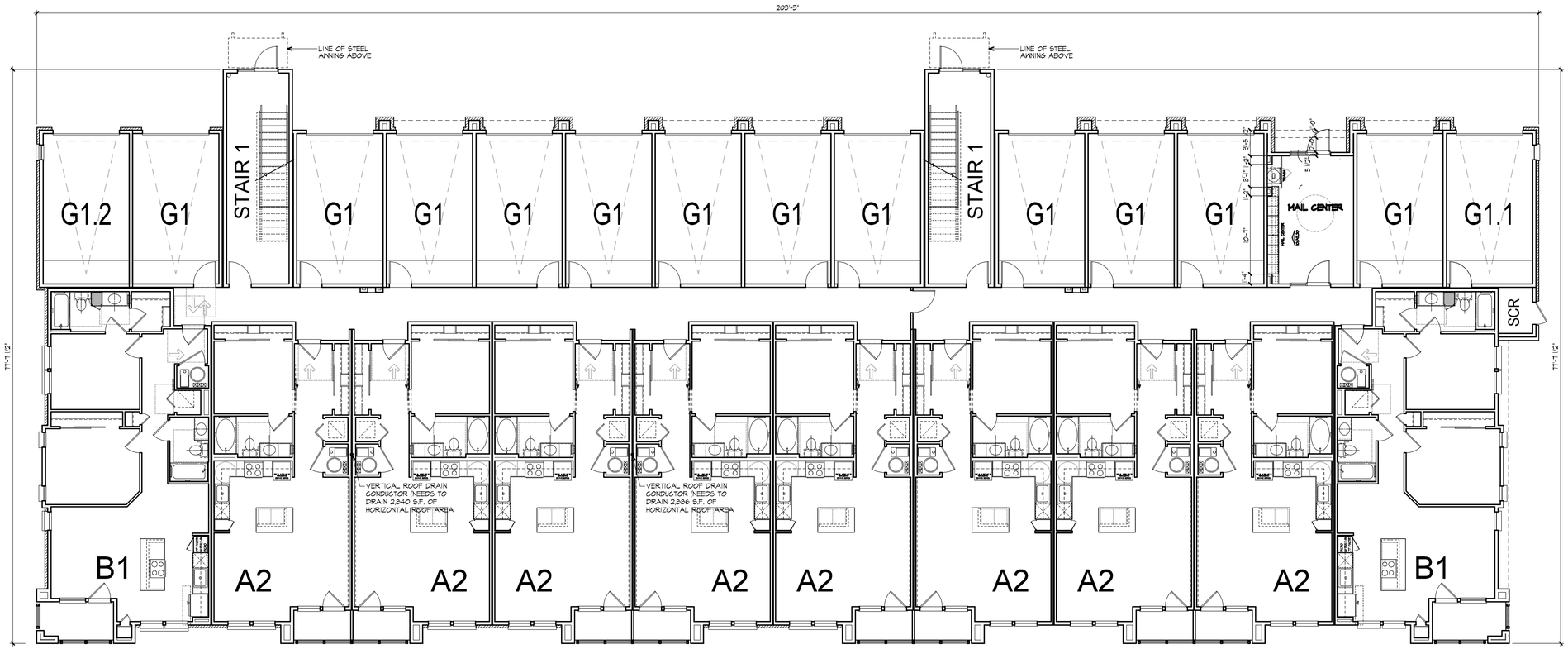
Sheet Title

Overall
Site Plan

Sheet Number

Sheet 1 of 1

10/3/2022 3:37 PM JOE DETHLEFS H:\Projects\1061 Broadmoor Development\1061-166 Rivers Edge Phase 3\Drawings\1061-166 CN_Color Site Plan.dwg



01 BUILDING TYPE II - FIRST FLOOR PLAN

SCALE: 1/8"=1'-0"

PLOT DATE: 9/30/2022 PLOT TIME: 5:25 PM PATH\NAME: H:\22000\22000 Potential Projects\Rivers Edge III\22000 Rivers Edge III 2 Story_First Floor Plan.pec

THIS DRAWING HAS BEEN PREPARED UNDER THE DIRECT SUPERVISION OF CRAIG C. LEWIS IOWA REGISTRATION #07055 AND IS CONSIDERED TO BE

INCOMPLETE

THIS DRAWING MAY NOT BE USED FOR REGULATORY APPROVAL, PERMIT, OR CONSTRUCTION WITHOUT THE ARCHITECT'S OFFICIAL SEAL.

Copyright:
© 2022 by Womack+Hampton Architects, L.L.C. All rights reserved The arrangements depicted herein are the sole property of WHA, L.L.C. and may not be reproduced in any form without written permission.

Project No.
22000

Drawn By:

ISSUE FOR PERMIT:
SEPTEMBER 22, 2022

ISSUE FOR CONSTRUCTION:

Revisions:

RIVER'S EDGE III

Council Bluffs, Iowa

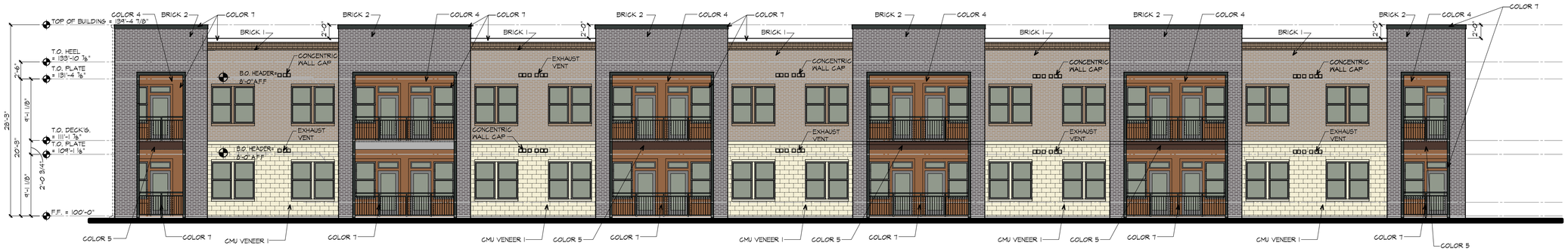
Broadmoor Development

Womack+Hampton
ARCHITECTS, L.L.C.
4311 Oak Lawn Ave. Suite 50
Dallas, Texas 75219
Phone: (214) 252-9000
Fax: (214) 252-9080

Sheet Number:

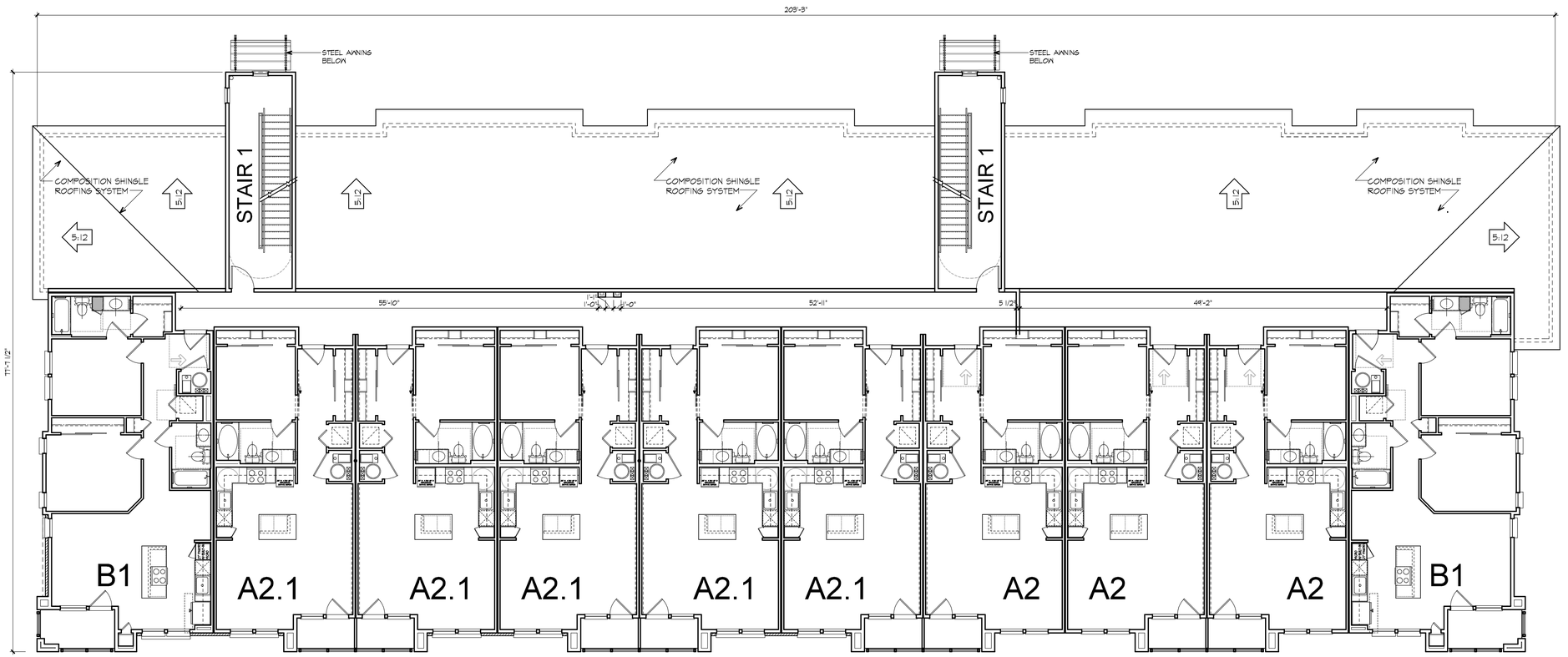
A4.0

2 STORY PARCEL 'B'



02 FRONT ELEVATION - BUILDING TYPE II

SCALE: 1/8"=1'-0"



01 BUILDING TYPE II - SECOND FLOOR PLAN

SCALE: 1/8"=1'-0"

PLOT DATE: 9/30/2022 PLOT TIME: 5:24 PM PATH\NAME: H:\22000\22000 Potential Projects\Rivers Edge III\22000 Rivers Edge III 2 Story_Second Floor Plan.aec

THIS DRAWING HAS BEEN PREPARED UNDER THE DIRECT SUPERVISION OF CRAIG C. LEWIS IOWA REGISTRATION #07055 AND IS CONSIDERED TO BE

INCOMPLETE

THIS DRAWING MAY NOT BE USED FOR REGULATORY APPROVAL, PERMIT, OR CONSTRUCTION WITHOUT THE ARCHITECT'S OFFICIAL SEAL.

Copyright:
© 2022 by Womack+Hampton Architects, L.L.C. All rights reserved The arrangements depicted herein are the sole property of WHA, L.L.C. and may not be reproduced in any form without written permission.

Project No.
22000

Drawn By:

ISSUE FOR PERMIT:
SEPTEMBER 22, 2022

ISSUE FOR CONSTRUCTION:

Revisions:

RIVER'S EDGE III

Council Bluffs, Iowa

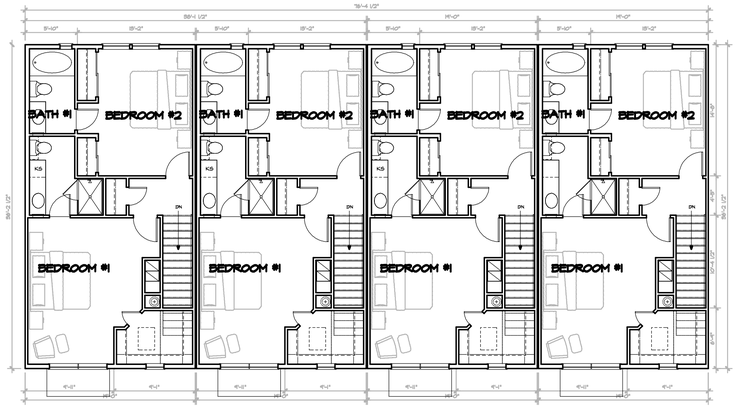
Broadmoor Development

Womack+Hampton
ARCHITECTS, L.L.C.
4311 Oak Lawn Ave. Suite 50
Dallas, Texas 75219
Phone: (214) 252-9000
Fax: (214) 252-9080

Sheet Number:

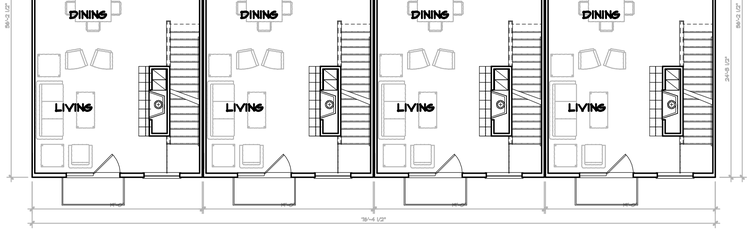
A4.1

2 STORY PARCEL 'B'



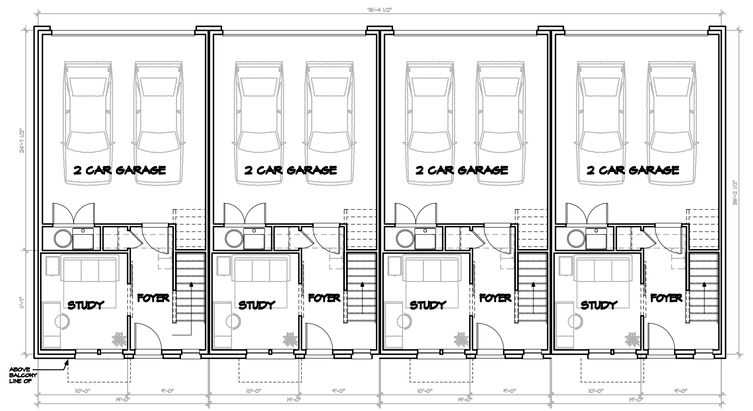
03 TOWNHOMES-THIRD FLOOR
SCALE: 1/8"=1'-0"

05 TOWNHOMES - REAR ELEVATION
SCALE: 1/8"=1'-0"



02 TOWNHOMES-SECOND FLOOR 1324 S.F.
SCALE: 1/8"=1'-0"

04 TOWNHOMES - FRONT ELEVATION
SCALE: 1/8"=1'-0"



01 TOWNHOMES- GROUND FLOOR
SCALE: 1/8"=1'-0"

THIS DRAWING HAS BEEN PREPARED UNDER THE DIRECT SUPERVISION OF
CRAIG C. LEWIS
IOWA REGISTRATION #07055
AND IS CONSIDERED TO BE

INCOMPLETE

THIS DRAWING MAY NOT BE USED FOR REGULATORY APPROVAL, PERMIT, OR CONSTRUCTION WITHOUT THE ARCHITECT'S OFFICIAL SEAL.

Copyright:
© 2022 by Womack+Hampton Architects, L.L.C. All rights reserved The arrangements depicted herein are the sole property of WHA, L.L.C. and may not be reproduced in any form without written permission.

Project No.
22000

Drawn By:

ISSUE FOR PERMIT:
SEPTEMBER 22, 2022

ISSUE FOR CONSTRUCTION:

Revisions:

RIVER'S EDGE III

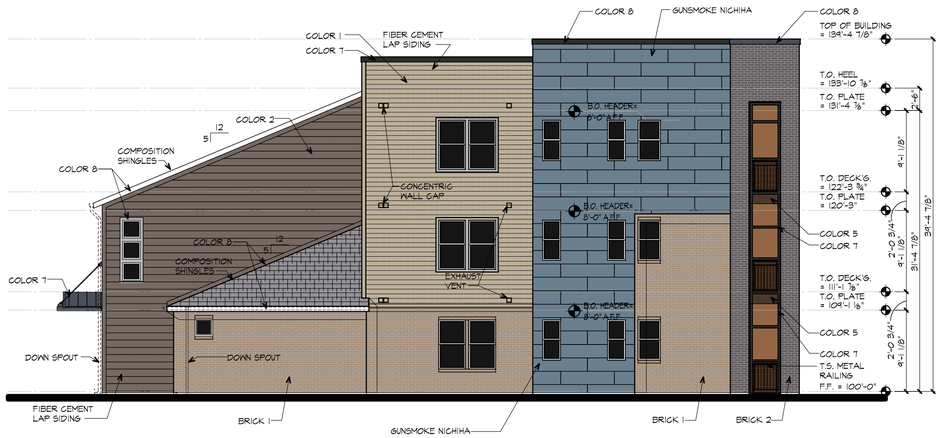
Council Bluffs, Iowa

Broadmoor Development

Womack+Hampton
ARCHITECTS, L.L.C.
4311 Oak Lawn Ave. Suite 50
Dallas, Texas 75219
Phone: (214) 252-9000
Fax: (214) 252-9080

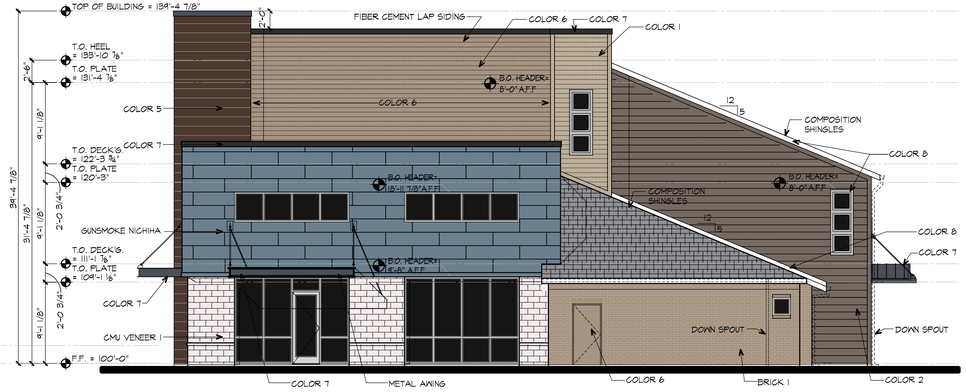
Sheet Number:
A6.0
TOWNHOMES PARCEL 'C'

PLOT DATE: 9/30/2022 PLOT TIME: 5:03 PM PATHNAME: H:\22000\22000 Potential Projects\Rivers Edge III\22000 Rivers Edge III Townhouse.aec



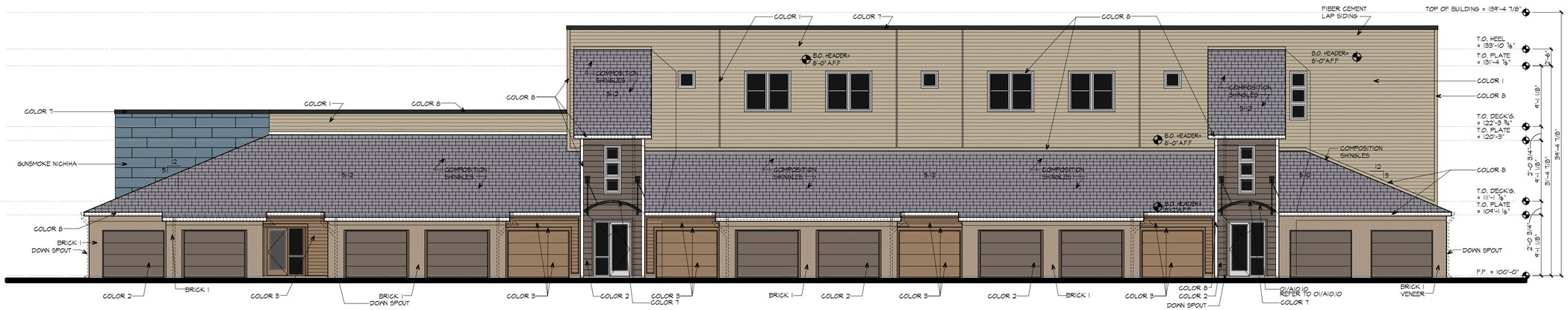
04 BUILDING TYPE 1 - SIDE ELEVATION

SCALE: 1/8"=1'-0"



03 BUILDING TYPE 1 - SIDE ELEVATION

SCALE: 1/8"=1'-0"



02 BUILDING TYPE 1 - REAR ELEVATION

SCALE: 1/8"=1'-0"

01 BUILDING TYPE 1 - FRONT ELEVATION

SCALE: 1/8"=1'-0"

PLOT DATE: 9/30/2022 PLOT TIME: 5:32 PM PATH\NAME: H:\22000\22000 Potential Projects\Rivers Edge III\22000 Rivers Edge III 3 Story_Elevations.aec

THIS DRAWING HAS BEEN PREPARED UNDER THE DIRECT SUPERVISION OF CRAIG C. LEWIS IOWA REGISTRATION #07055 AND IS CONSIDERED TO BE

INCOMPLETE

THIS DRAWING MAY NOT BE USED FOR REGULATORY APPROVAL, PERMIT, OR CONSTRUCTION WITHOUT THE ARCHITECT'S OFFICIAL SEAL.

Copyright:
© 2022 by Womack+Hampton Architects, L.L.C. All rights reserved The arrangements depicted herein are the sole property of WHA, L.L.C. and may not be reproduced in any form without written permission.

Project No.
22000

Drawn By:

ISSUE FOR PERMIT:
SEPTEMBER 22, 2022

ISSUE FOR CONSTRUCTION:

Revisions:

RIVER'S EDGE III

Council Bluffs, Iowa

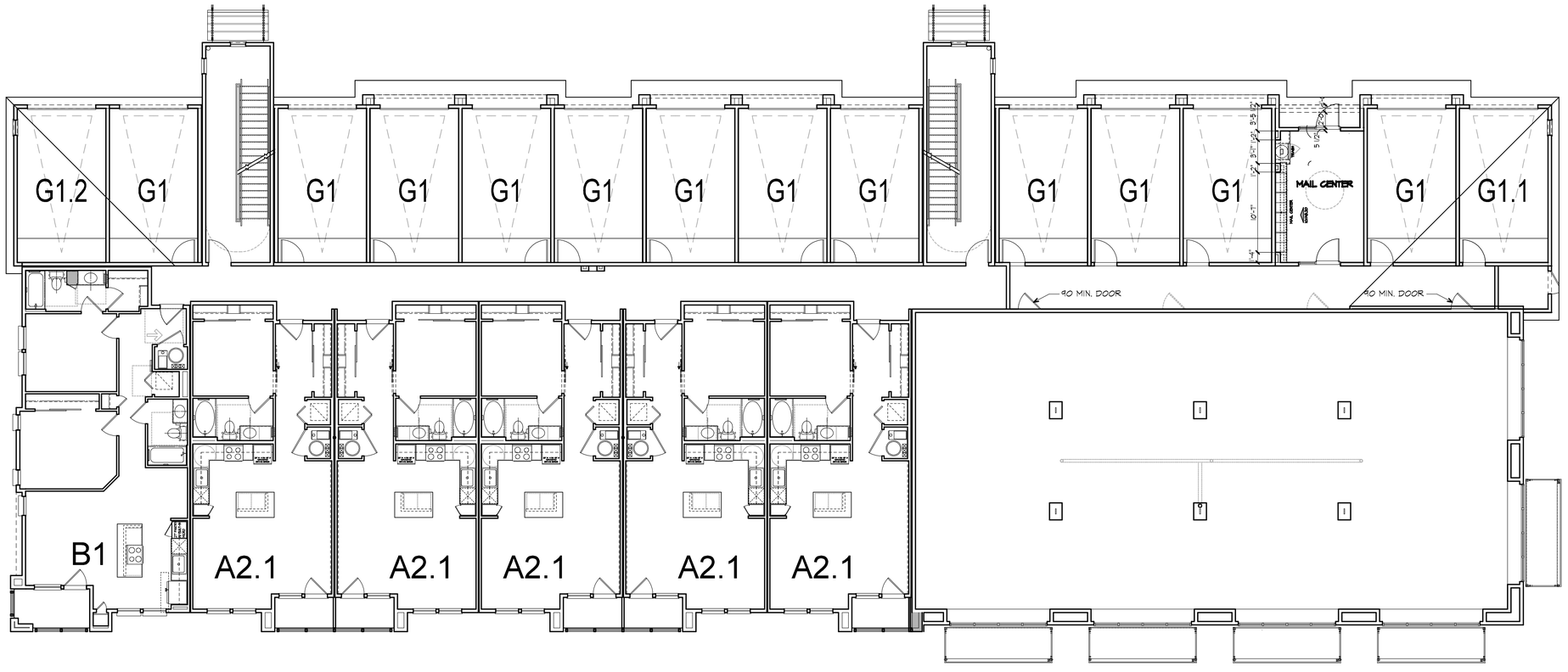
Broadmoor Development

Womack+Hampton
ARCHITECTS, L.L.C.
4311 Oak Lawn Ave. Suite 50
Dallas, Texas 75219
Phone: (214) 252-9000
Fax: (214) 252-9080

Sheet Number:

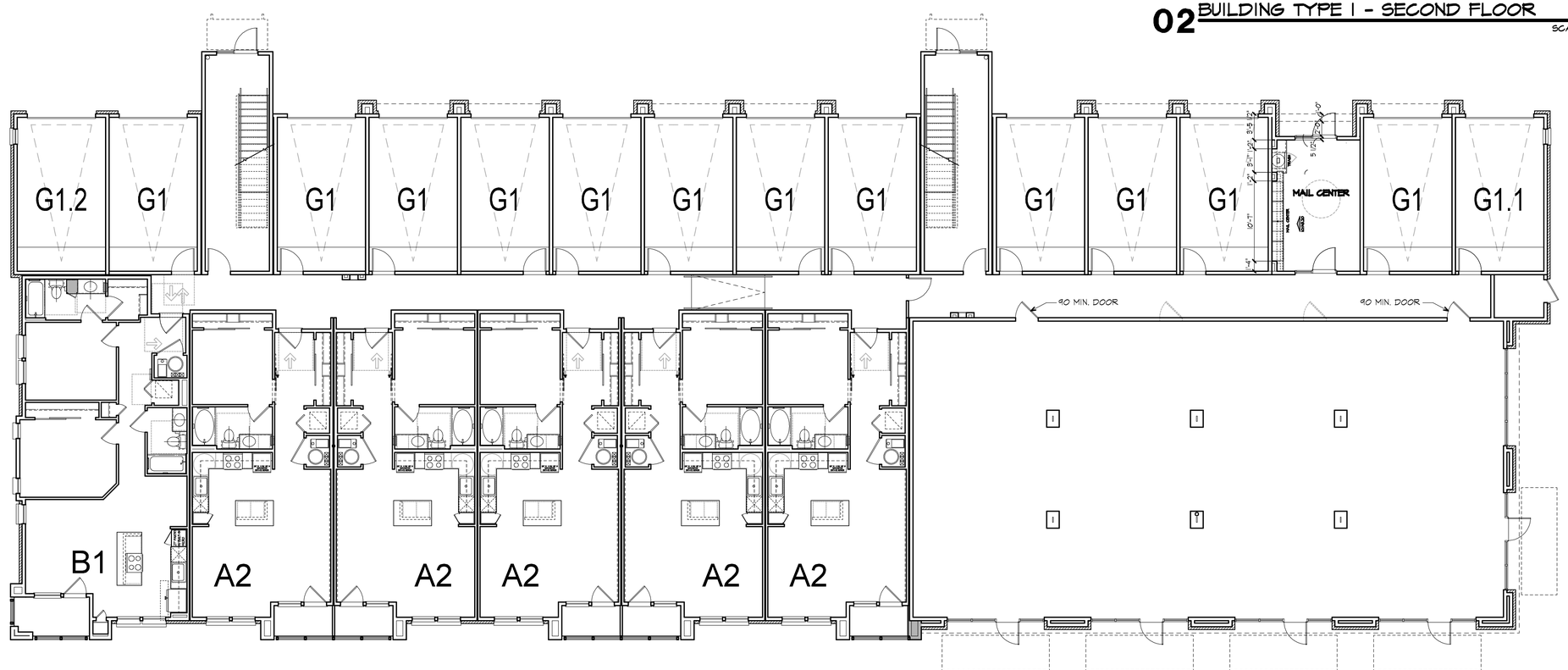
A5.2

3 STORY PARCEL 'D'



02 BUILDING TYPE I - SECOND FLOOR

SCALE: 1/8"=1'-0"



01 BUILDING TYPE I - FIRST FLOOR

SCALE: 1/8"=1'-0"

THIS DRAWING HAS BEEN PREPARED UNDER THE DIRECT SUPERVISION OF CRAIG C. LEWIS IOWA REGISTRATION #07055 AND IS CONSIDERED TO BE

INCOMPLETE

THIS DRAWING MAY NOT BE USED FOR REGULATORY APPROVAL, PERMIT, OR CONSTRUCTION WITHOUT THE ARCHITECT'S OFFICIAL SEAL.

Copyright:
© 2022 by Womack+Hampton Architects, L.L.C. All rights reserved The arrangements depicted herein are the sole property of WHA, L.L.C. and may not be reproduced in any form without written permission.

Project No.
22000

Drawn By:

ISSUE FOR PERMIT:
SEPTEMBER 22, 2022

ISSUE FOR CONSTRUCTION:

Revisions:

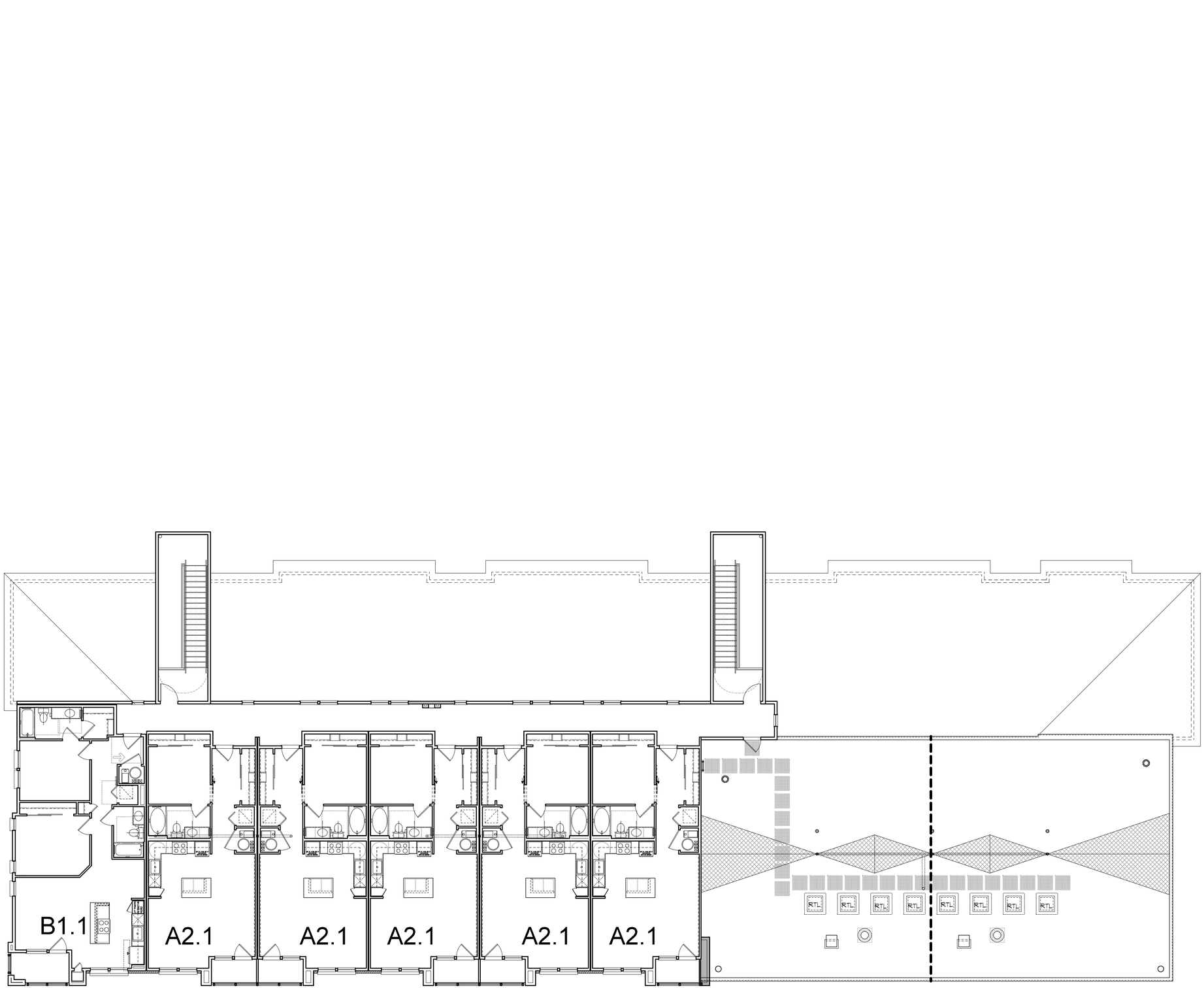
RIVER'S EDGE III
Council Bluffs, Iowa
Broadmoor Development

Womack+Hampton
ARCHITECTS, L.L.C.
4311 Oak Lawn Ave, Suite 50
Dallas, Texas 75219
Phone: (214) 252-8000
Fax: (214) 252-8080

Sheet Number:
A5.0
3 STORY
PARCEL 'D'

PLOT DATE: 9/30/2022 PLOT TIME: 5:28 PM PATH\NAME: H:\22000\22000 Potential Projects\Rivers Edge III\22000 Rivers Edge III 3 Story_Building PLan.dwg

PLOT DATE: 9/30/2022 PLOT TIME: 5:28 PM PATH\NAME: H:\22000\22000 Potential Projects\Rivers Edge III\22000 Rivers Edge III 3 Story_Building Plan_level 3.dwg



01 BUILDING TYPE I - THIRD FLOOR

SCALE: 1/8"=1'-0"

THIS DRAWING HAS BEEN PREPARED UNDER THE DIRECT SUPERVISION OF CRAIG C. LEWIS IOWA REGISTRATION #07055 AND IS CONSIDERED TO BE

INCOMPLETE

THIS DRAWING MAY NOT BE USED FOR REGULATORY APPROVAL, PERMIT, OR CONSTRUCTION WITHOUT THE ARCHITECT'S OFFICIAL SEAL.

Copyright:
© 2022 by Womack+Hampton Architects, L.L.C. All rights reserved The arrangements depicted herein are the sole property of WHA, L.L.C. and may not be reproduced in any form without written permission.

Project No.
22000

Drawn By:

ISSUE FOR PERMIT:
SEPTEMBER 22, 2022

ISSUE FOR CONSTRUCTION:

Revisions:

RIVER'S EDGE III

Council Bluffs, Iowa

Broadmoor Development

Womack+Hampton
ARCHITECTS, L.L.C.
4311 Oak Lawn Ave, Suite 50
Dallas, Texas 75219
Phone: (214) 252-9000
Fax: (214) 252-9080

Sheet Number:

A5.1

3 STORY PARCEL 'D'

BROADMOOR

GATHER

TRUE
TRUE
TRUE
TRIX

		Parcel B	Parcel C	Parcel D	Total
		.81 Acres	.86 acres	.75 acres	
Cost		20 apts	12 apts	18 apts	
Construction per unit		153,000	190,000	147,000	
Construction Estimate 9.30.2022		3,060,000	2,280,000	2,646,000	7,986,000
Arch, Bldr Risk, Legal, Loan, Misc		120,000	72,000	108,000	300,000
Developers & GC Fee - 6%		198,000	136,800	205,260	540,060
Contingency- 5 %		165,000	114,000	139,500	418,500
Land		88,000	94,000	166,000	348,000
	Total Cost	**3,631,000**	**2,696,800**	**3,264,760**	**9,592,560**
	Cost per unit	181,550	224,733	181,376	191,851
Sources					
Loan FNBO	70% secured	2,541,700	1,887,760	2,285,332	6,714,792
TIF	15%	544,650	404,520	489,714	1,438,884
Owner's Equity	15% Secured	544,650	404,520	489,714	1,438,884
					-
	Total fund Sources	**3,631,000**	**2,696,800**	**3,264,760**	**9,592,560**

Parcel B Lot 2 Block 3 20 Apartments

Proforma at Satabilization	apts	style	Size SF	Total SF	Rent	Total Annual rent	Mo RSF
	14	A1	739	10,346	1,330	223,440	1.80
	6	B2	971	5,826	1,715	123,480	1.77
Total Apt Income	20			16,172		346,920	1.79
Garage	14				90	15,120	
						362,040	
Less Vacancy-5%						(18,102)	
Gross effective rents at stabilization						343,938	
Expense:							
Operating- 3,500 per unit						70,000	
Real Estate Tax	Assessment	cost at 90%		2,862,000			
	milllevy after rollack with TIF for 15 years			32.020389		43,072	
Total Expense						113,072	
Net Operating Income at Stabilization						230,866	

Year	1	2	3	4	5	6	7	8	9	10	11	12
abosrbtion	Constuction	Construction	50%	90%	100%	100%	100%	100%	100%	100%	100%	100%
Income-2 % rent increase start in year 5												
5 % vacancy start in year 5												
Apartments	-	-	346,920	346,920	353,858	360,936	368,154	375,517	383,028	390,688	398,502	406,472
Garage	-	-	15,120	15,120	15,120	15,120	15,120	15,120	15,120	15,120	15,120	15,120
Total	-	-	331,800	331,800	338,738	345,816	353,034	360,397	367,908	375,568	383,382	391,352
Vacancy	-	-	165,900	33,180	16,937	17,291	17,652	18,020	18,395	18,778	19,169	19,568
Gross eff inc	-		165,900	298,620	321,801	328,525	335,383	342,377	349,512	356,790	364,213	371,784
Less Expense												
Operating			35,000	70,000	70,000	71,400	72,828	74,285	75,770	77,286	78,831	80,408
Real Estate			21,536	38,765	43,072	43,072	43,072	43,072	43,072	43,072	43,072	43,072
Total			56,536	108,765	113,072	114,472	115,900	117,356	118,842	120,358	121,903	123,480
NOI			109,364	189,855	208,730	214,053	219,483	225,021	230,670	236,432	242,310	248,305

Parcel C Lot 2 Block 4 12 Apartments

Proforma at Satabilization	apts	style	Size SF	Total SF	Rent	Total Annual rent	Mo RSF
	12	TH	1,329	15,948	2,445	352,080	1.84
				-			
Total Apt Income	12			15,948		352,080	1.84
Garage - 2 car garage included						-	
						352,080	
Less Vacancy-5%						(17,604)	
Gross effective rents at stabilization						334,476	
Expense:							
Operating- 3,000 per unit						36,000	
Real Estate Tax	Assessment	cost at 90%		2,116,800			
	milllevy after rollack with TIF for 15 years			32.020389		31,857	
Total Expense						67,857	
Net Operating Income at Stabilization						266,619	

Year	1	2	3	4	5	6	7	8	9	10	11	12
abosrbtion	Constuction	Construction	50%	90%	100%	100%	100%	100%	100%	100%	100%	100%
Income-2 % rent increase start in year 5												
5 % vacancy start in year 5												
Apartments	-	-	352,080	352,080	359,122	366,304	373,630	381,103	388,725	396,499	404,429	412,518
Garage	-	-	-	-	-	-	-	-	-	-	-	-
Total	-	-	352,080	352,080	359,122	366,304	373,630	381,103	388,725	396,499	404,429	412,518
Vacancy	-	-	176,040	35,208	17,956	18,315	18,682	19,055	19,436	19,825	20,221	20,626
Gross eff inc	-		176,040	316,872	341,166	347,989	354,949	362,048	369,289	376,674	384,208	391,892
Less Expense												
Operating			18,000	36,000	36,000	36,720	37,454	38,203	38,968	39,747	40,542	41,353
Real Estate			15,928	28,671	31,857	31,857	31,857	31,857	31,857	31,857	31,857	31,857
Total			33,928	64,671	67,857	68,577	69,311	70,060	70,825	71,604	72,399	73,210
NOI			142,112	252,201	273,309	279,412	285,637	291,987	298,464	305,070	311,809	318,682

Parcel D Lot 1 Block 5 18 Apartments + Commercial Space

Proforma at Satabilization	apts	style	Size SF	Total SF	Rent	Total Annual rent	Mo RSF
	15	A1	739	11,085	1,330	239,400	1.80
	3	B2	971	2,913	1,715	61,740	1.77
	1	retail	3,155	3,155	3,700	44,400	1.17
				-			
Total Apt Income	15			17,153		345,540	1.68
Garage - 2 car garage included						-	
						345,540	
Less Vacancy-5%						(17,277)	
Gross effective rents at stabilization						328,263	
Expense:							
Operating- 3,500 per unit						63,000	
Real Estate Tax	Assessment	cost at 90%		2,478,600			
	milllevy after rollack with TIF for 15 years			32.020389		52,351	
Total Expense						115,351	
Net Operating Income at Stabilization						212,912	

Year	1	2	3	4	5	6	7	8	9	10	11	12
abosrbtion	Constuction	Construction	50%	90%	100%	100%	100%	100%	100%	100%	100%	100%
Income-2 % rent increase start in year 5 5 % vacancy start in year 5												
Apartments	-	-	345,540	345,540	352,451	359,500	366,690	374,024	381,504	389,134	396,917	404,855
Garage	-	-	-	-	-	-	-	-	-	-	-	-
Total	-	-	345,540	345,540	352,451	359,500	366,690	374,024	381,504	389,134	396,917	404,855
Vacancy	-	-	172,770	34,554	17,623	17,975	18,334	18,701	19,075	19,457	19,846	20,243
Gross eff inc	-		172,770	310,986	334,828	341,525	348,355	355,322	362,429	369,677	377,071	384,612
Less Expense												
Operating			31,500	63,000	63,000	64,260	65,545	66,856	68,193	69,557	70,948	72,367
Real Estate			26,176	47,116	52,351	52,351	52,351	52,351	52,351	52,351	52,351	52,351
Total			57,676	110,116	115,351	116,611	117,897	119,208	120,545	121,909	123,300	124,719
NOI			115,094	200,870	219,477	224,913	230,459	236,115	241,884	247,769	253,771	259,894

City of Council Bluffs, Iowa

Request for Proposals Cover Page

Project Information

Project Name Moselle Rivers Edge / PlayLand Park Neighborhood Development

Organization Information

Name of Developer Baxter Development, LLC

Mailing Address 904 Walnut Street, Suite 101, Des Moines, IA 50309

Contact Person(s) Michael Stessman, Michael Baxter and Jonathan Koester

Telephone 515-240-1693 Fax

Email Address MSTESSMAN@THEBAXTERCOMPANIES.COM

Partners

Type	Name and Address	Contact Person
Project Development	BAXTER DEVELOPMENT	MICHAEL STESSMAN
Architectural Firm	DLR GROUP 1128 Lincoln Mall, Suite 103, Lincoln, NE 68508	NICK HANSEN
Engineering Firm	THORNTON THOMASETTI 2323 Grand Blvd, Suite 900, KC, MO 64109	MATTHEW FARBER
Other (specify) Site Design	SNYDER ENGINEERING 1751 Madison Ave, Council Bluffs, IA 51503	ELIZABETH HUNTER
Other (specify) Finance	ROSSLYN CAPITAL PARTNERS Austin, Texas	MOHAMMED YACOUBI
Other (specify) Marketing	HEARTLAND PROPERTIES 535 W Broadway #100, Council Bluffs, IA 51503	JOHN JERKOVICH
Leasing	LUND MANAGEMENT 450 Regency Pkwy #200, Omaha, NE 68114	TANYA SHAPIRO

MOSELLE

RFP SUBMITTAL (Rivers Edge)
CITY OF COUNCIL BLUFFS
October 4th, 2022

Baxter Development, LLC

EXECUTIVE SUMMARY

Copyright © 2022 by MOSELLE, LLC All Rights Reserved

TABLE OF CONTENTS

Project Summary	03
Location	04
Design	06
Sites(B-F)	28
Team Bios	32
Financial Summary	35
Appendix	37
Sources & Uses	38
Project Schedule	39
Attached Documents	40

MOSELLE is the embodiment of the distinct values and critical needs of the city of Council Bluffs, Iowa and the larger Omaha Metropolitan Area. The name Moselle was chosen from a Riverfront located in the Central France area known for its majestic landscape and scenery.

Project Definition

- MOSELLE is a unique and very carefully planned project, delivering exceptional residential living. We determined the opportunity through careful analysis, understanding the proximity and demographics of the area, and turning these needs into remarkable solutions. These key metrics defined our initial objectives, which then grew through our knowledge and experience, to create the distinct project you see.
- The distinct location at the confluence of the Nebraska & Iowa border affords great views of the noteworthy development. The site's connectivity of pedestrian and outdoor space is the thread that pulls the development components together which is attractive for private sector partners offering access, synergy and autonomy.
- The proposed building will have a very strong outdoor amenity deck similar to those you would find in a luxury destination resort. The idea is to bring the indoor experience outdoors and create a strong interaction with the surrounding outdoor events and attractions. Cabana's, outdoor pool, bar, yoga deck, grilling areas, fitness area, jumbotron, and private gathering spaces and many more amenities.

LIVE
Residential

WORK
Office

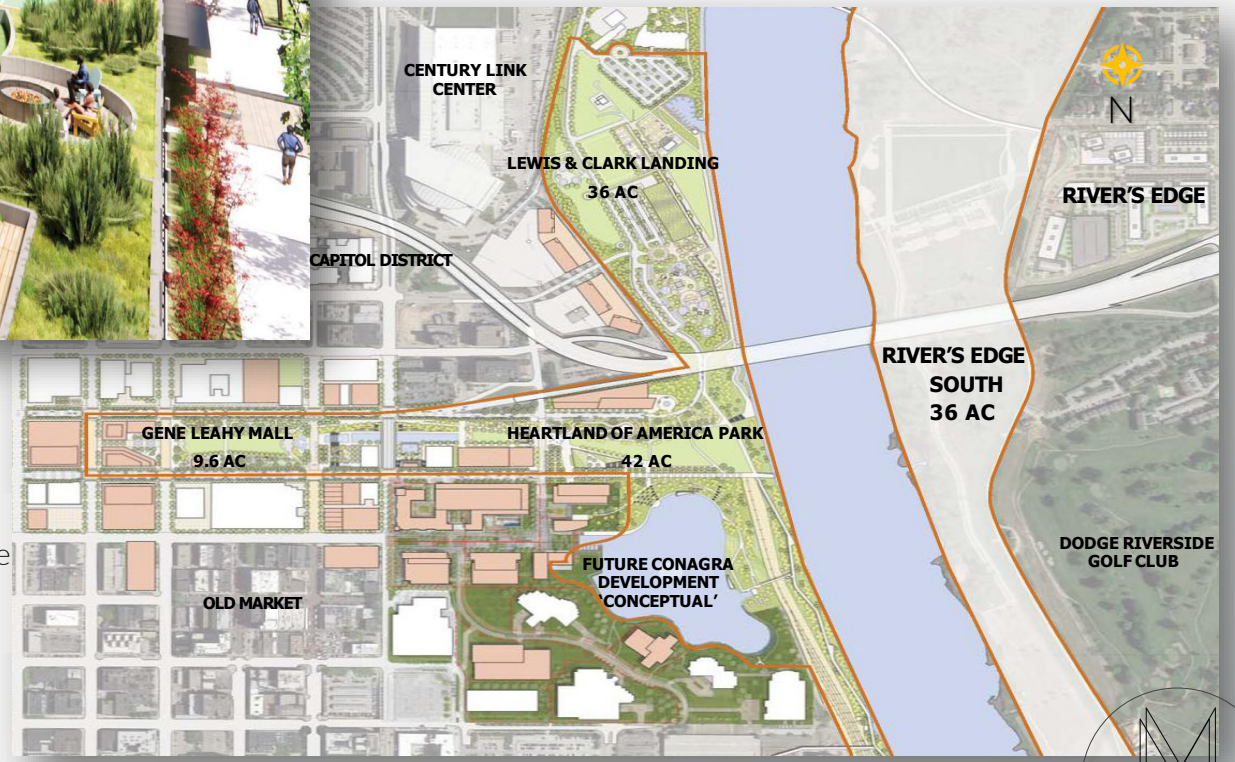
PLAY
Retail

primary program
+
site program

REC
Open Space

COMMUNITY
Pride

PROJECT INTRODUCTION



Landmark Location

The distinct location at the Riverfront in Council Bluffs, Iowa affords great views of the noteworthy development. The site's connectivity of pedestrian and outdoor space is the thread that pulls the development components together which is attractive for private sector partners offering access, synergy and autonomy.

PROJECT LOCATION 186

MOSELLE

DESIGN

Architectural Narrative Project Overview

The Moselle at Rivers Edge project is located on Block 1 at the corner of 42nd and Rivers Edge Parkway in Council Bluffs, IA. The site is surrounded by many great amenities including Rivers Edge Park to the north, and the Bob Kerry Pedestrian Bridge that connects the site directly to downtown Omaha, Nebraska. To the west is Tom Hanafan Park and Rivers Edge Community Pavilion with views of the Missouri River beyond and on the south is a bike and pedestrian path that connects the rest of the development.

The apartment tower is located on top of a pedestal that houses structured parking and, on the southeast corner, a restaurant, directly east is the main entry to the apartment building. The south and west facades are to be enhanced as called for in the Playland Park Master Plan. These facades are to include a combination of textured precast panels and decorative perforated metal screens to create interest and allow fresh air into the parking structure. There is also an identified area for local artists to create a mural on the south side to enhance the district.

On top of the parking deck for the residents of the tower is an amenity deck that will include a swimming pool, hot tub, multi-use turf space and several seating and fire pit areas. Roof top vegetative green spaces are also integrated throughout. Other indoor amenities on this level include a fitness center and community lounge space with kitchen area and shared conference/coworking space for tenants.

The structure is currently proposed to be a mix of precast concrete parking structure and cast-in-place tower base with a transfer deck on the 4th level. The tower structure continues as a cold form steel. The tower will take advantage of the dynamic views of downtown Omaha and the bluffs with large floor to ceiling windows. The building skin will be lightweight materials consisting of a blend of EIFS, 8” extruded aluminum cladding with faux wood finish and high density fiber cement panel. The roof is proposed as either thermoset EPDM roof membrane or PVC & TPO. The building will be heated and cooled by a fluid cooled heat pump system.

The program consists of the following:
200 apartment units
Studio 18 at 525-528 SF (7.2%)
1BR/1BA 143 at 673-716 SF (57.5%)
2BR/2BA 87 at 1035-1060 SF (34.9%)
Guest Suite 505 SF (.4%)
+/-250 covered parking stalls

Ground Floor Amenity
- Lobby, Rental Office, Mail Room, Rest room, Bike Storage, General Storage, Co-work Space.
- Small hospitality market.
- Retail/restaurant

3rd floor Amenity
- Indoor Space
    - o Fitness Room, Locker/changing rooms, restrooms (shared), indoor/outdoor Community space, Storage, Pool equipment.
- Outdoor Space
    - o Pool, Cabanas, Bar/serveries, fire pits, green space, sports courts, more private spaces for yoga etc.

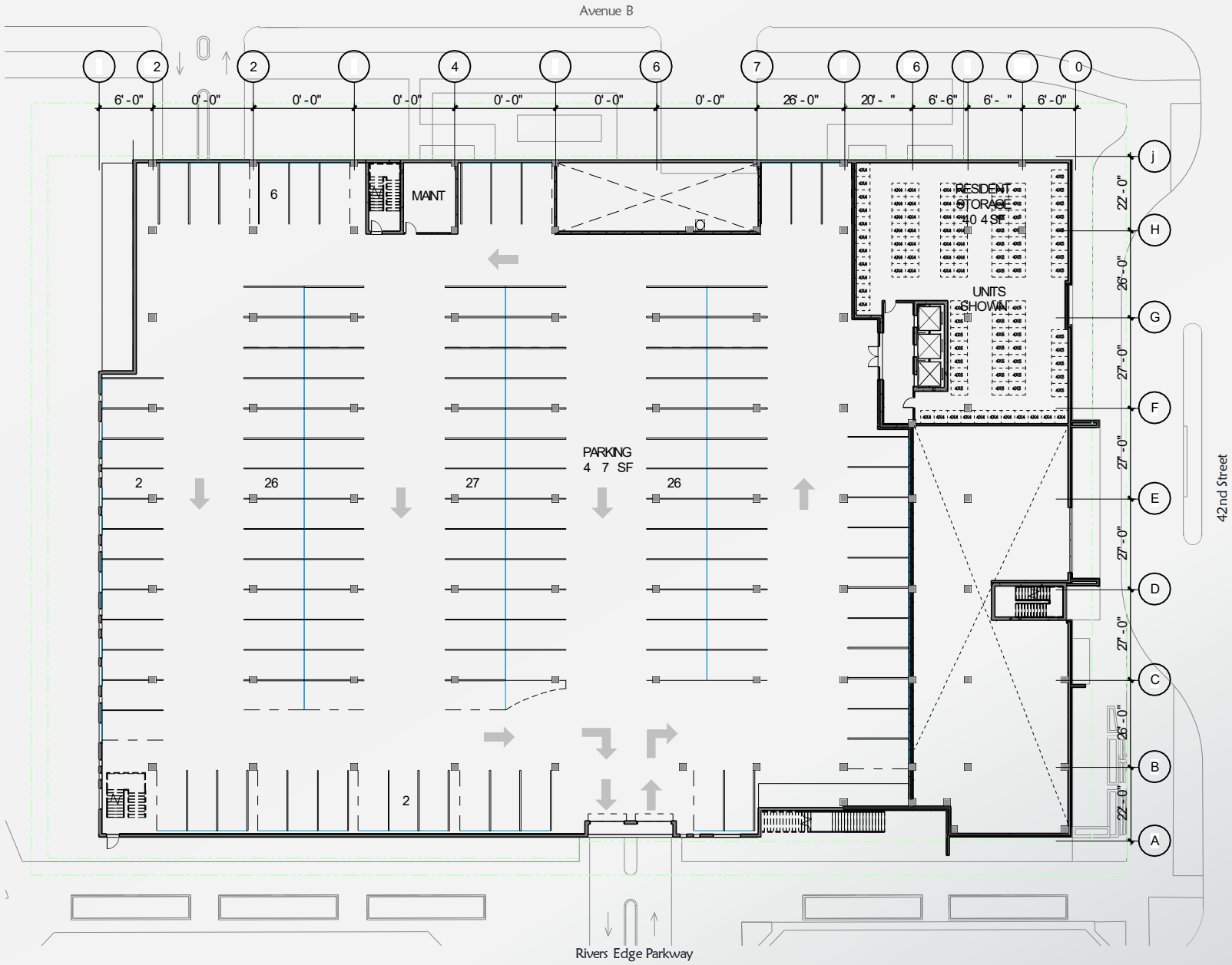
*Square footage for these areas mentioned above can be found on the floor plans that follow.

SITE PLAN LOT: A

MOSELLE

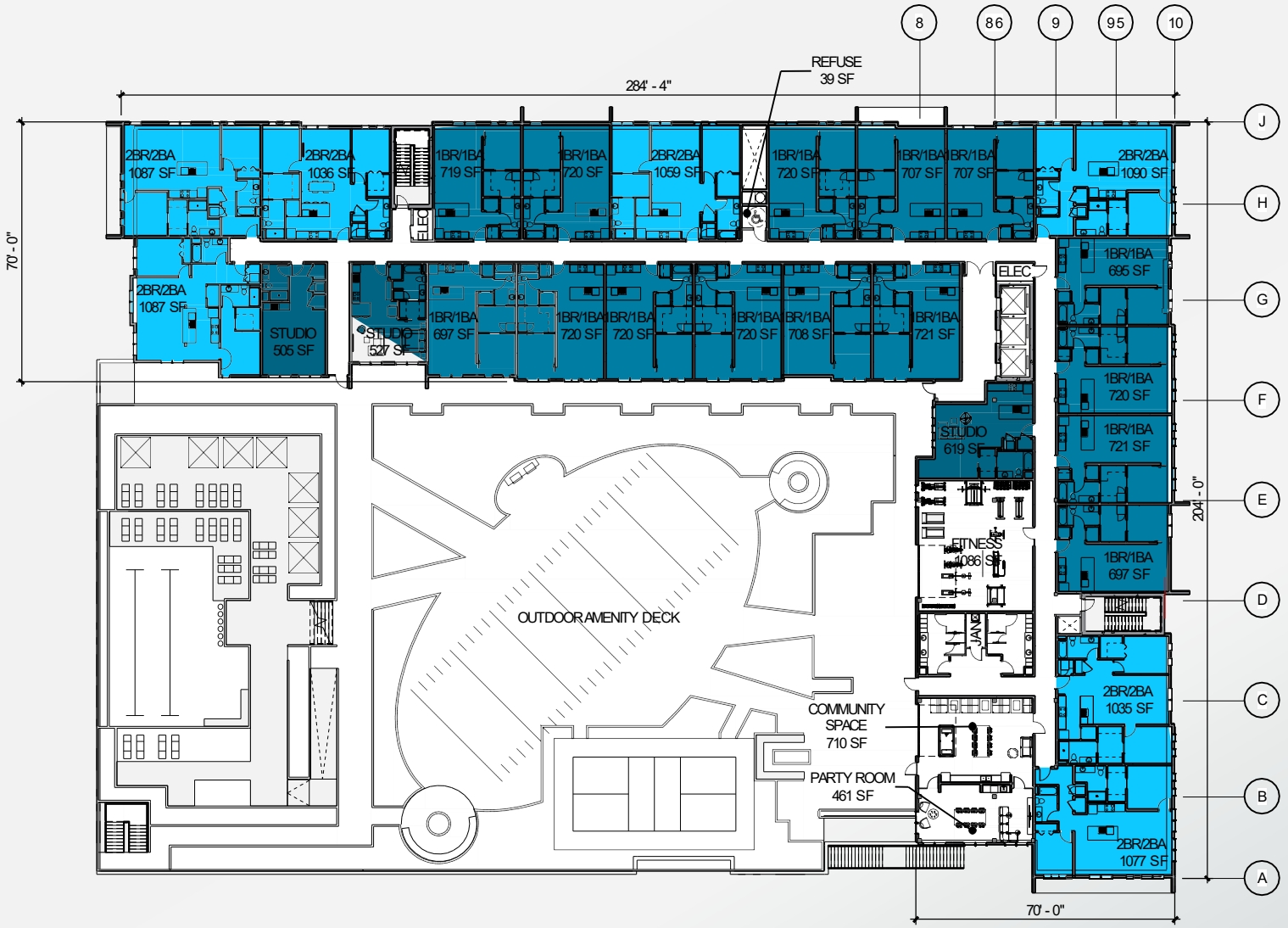
N

Level 1 Floor Plan
Scale 1:30



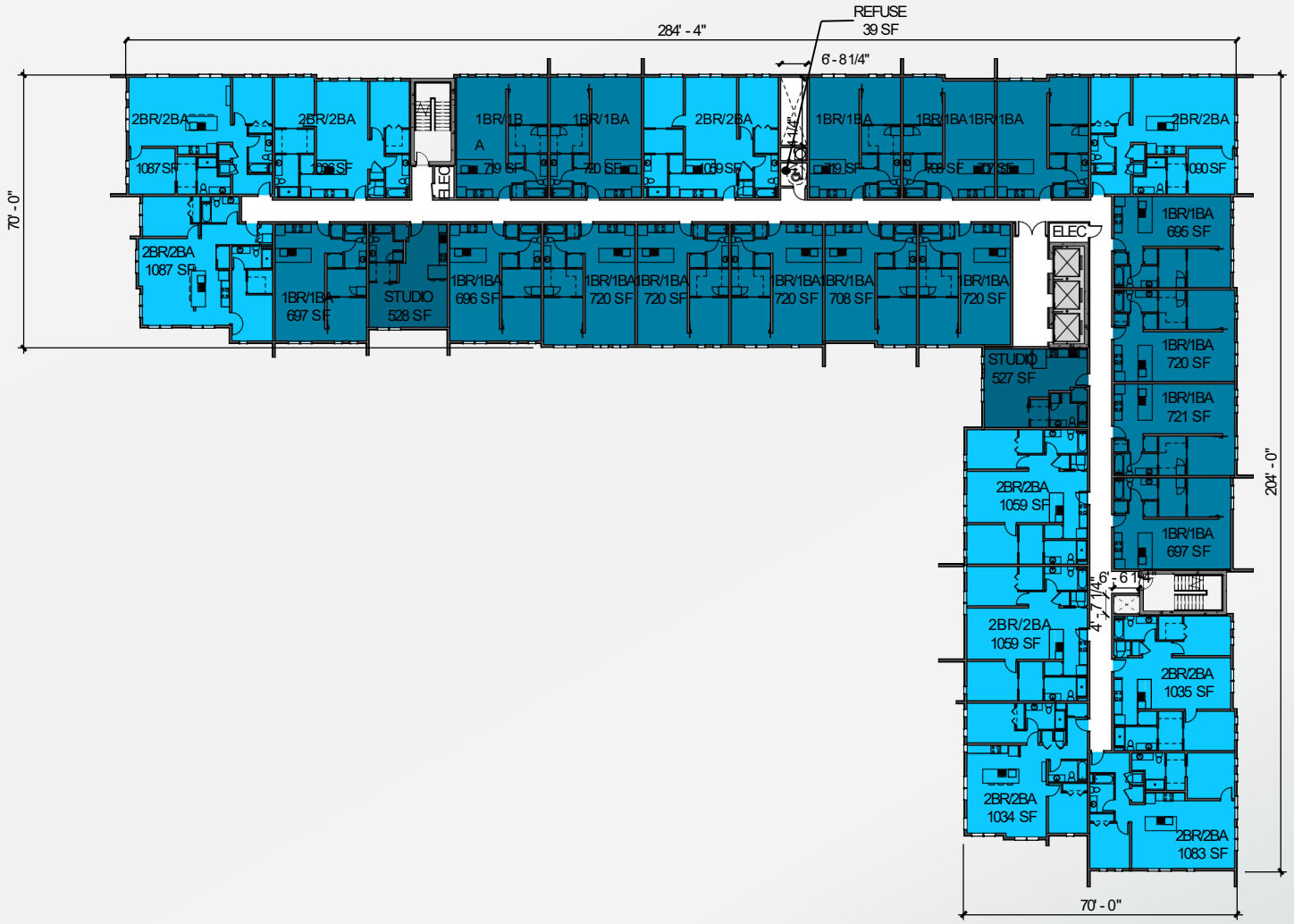
N

Level 2 Floor Plan
Scale 1:30



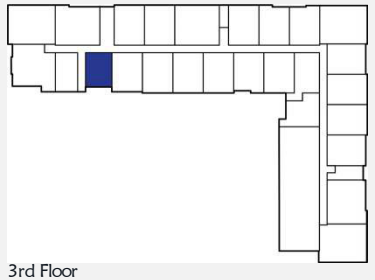
N

Level 3 Floor Plan
Scale 1:30

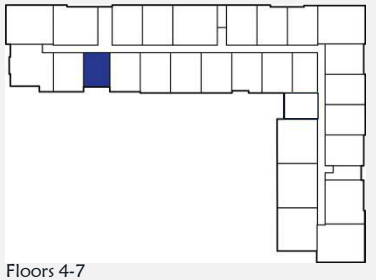


N

Level 4-7 Floor Plan
Scale 1:30

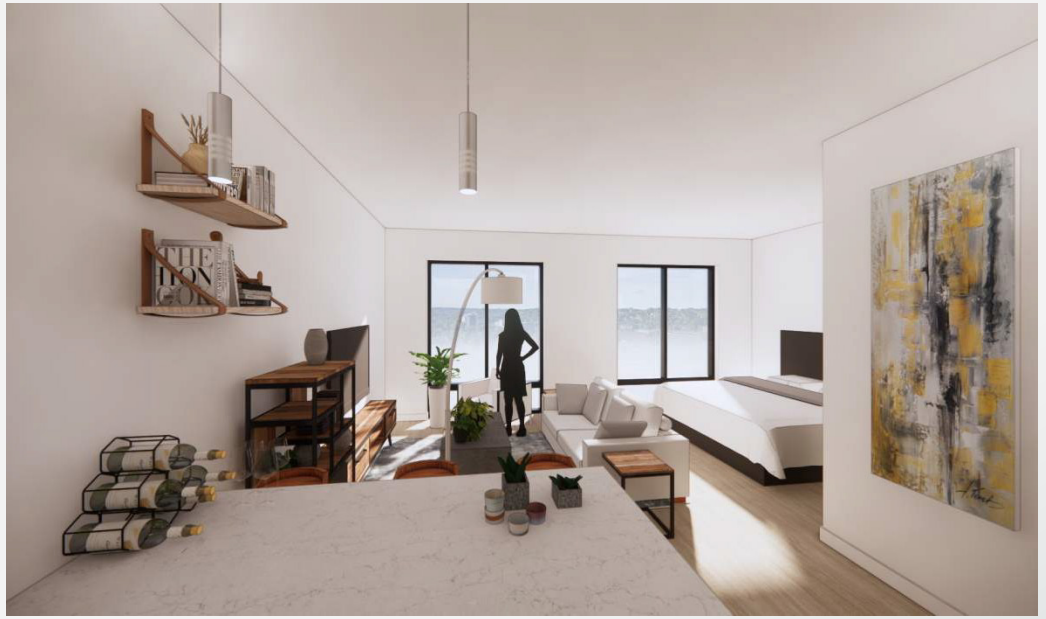


3rd Floor



Floors 4-7

Polished Concrete Flooring (Base Design)

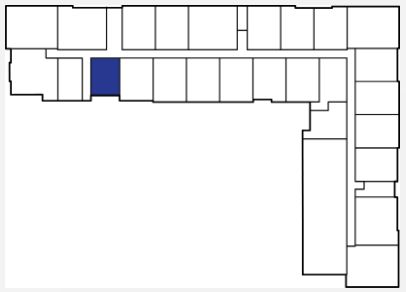


LVT Flooring - Wood Finish (Alternate Design)

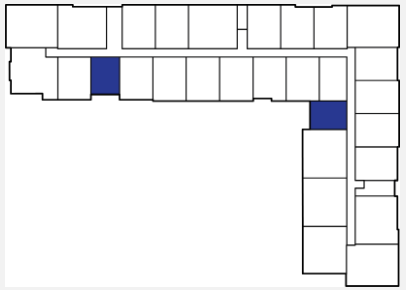
Note:
Images for quick reference only. See Architectural drawing sheets for further information.

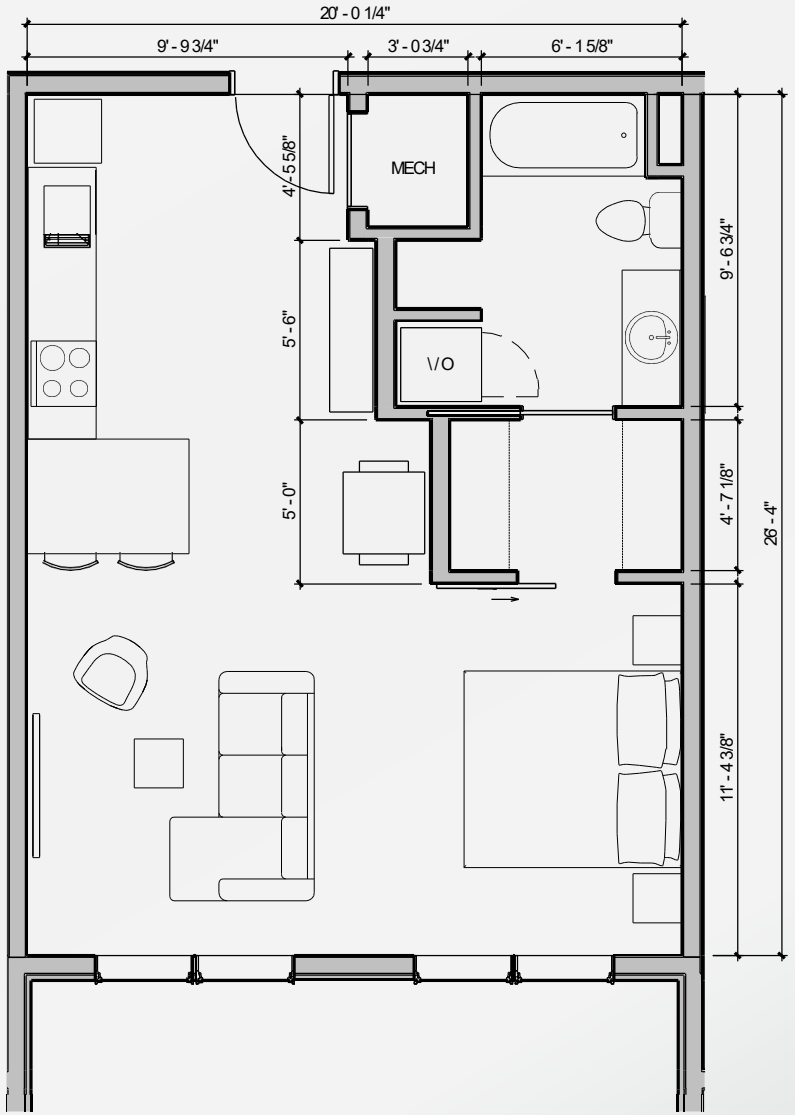
Unit Type B - Typical Studio

- Total Number of Units 17 Units
- Total Square Feet 528 sf
  (Interior face of GWB)

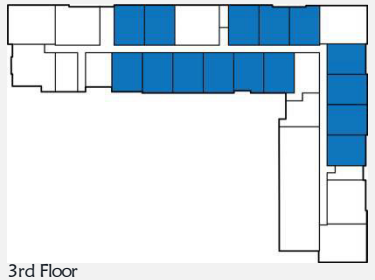


Level 3 Unit Type B

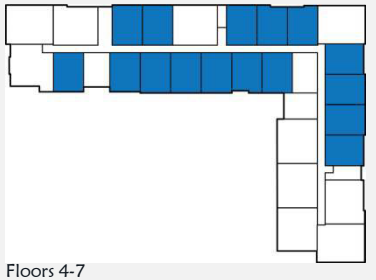




Unit Type B - Plan
Scale 1/4"=1'-0"



3rd Floor



Floors 4-7

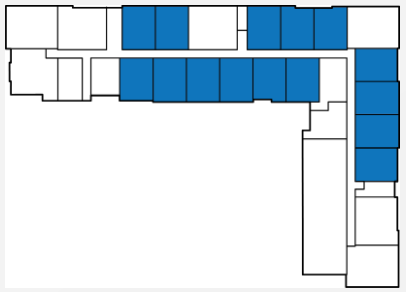
Polished Concrete Flooring (Base Design)

LVT Flooring - Wood Finish (Alternate Design)

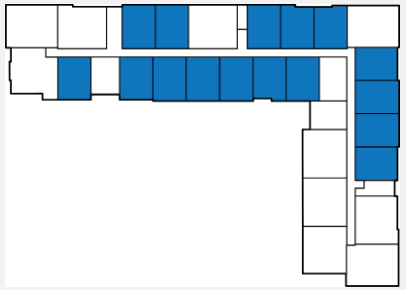
Note:
Images for quick reference only. See Architectural drawing sheets for further information.

Unit Type A - Typical One Bed One Bath

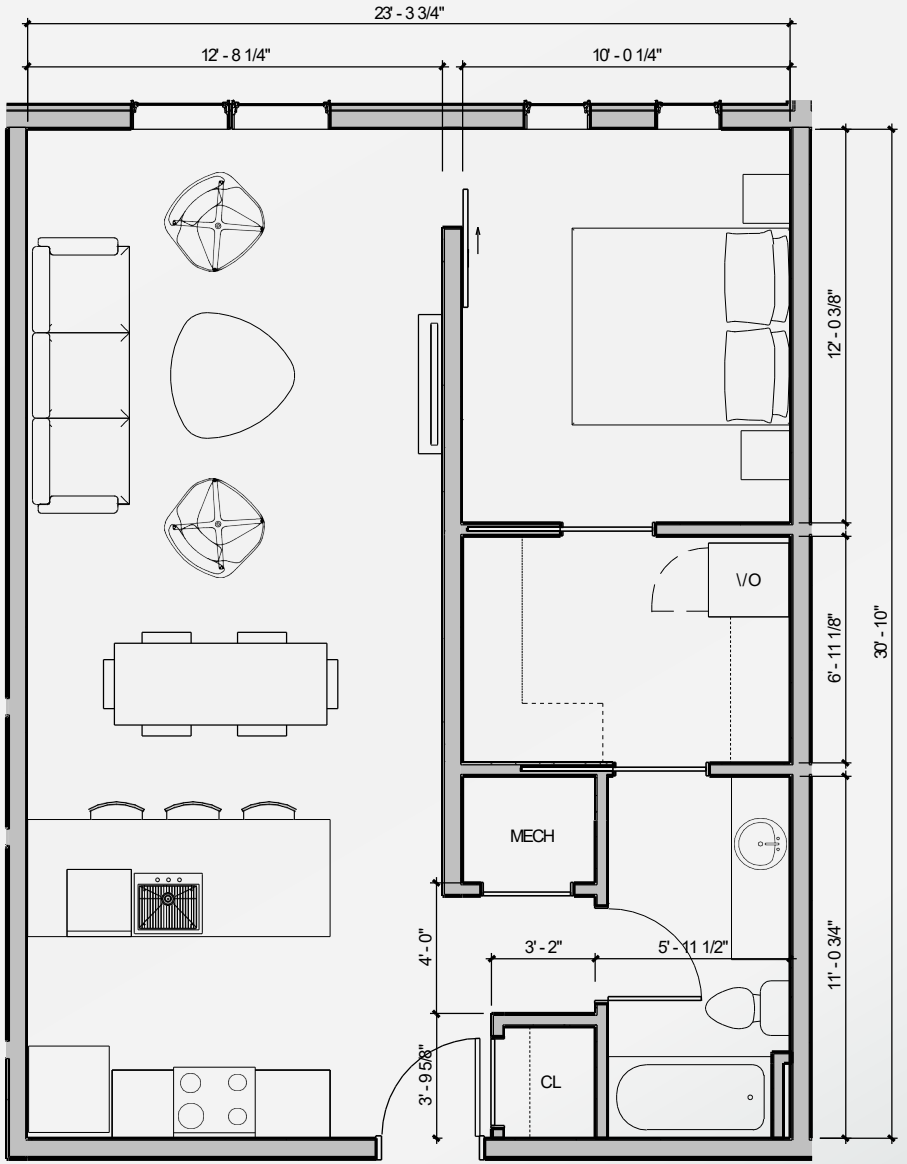
- Total Number of Units 103 Units
- Total Square Feet 720 sf
  (Interior face of GWB)



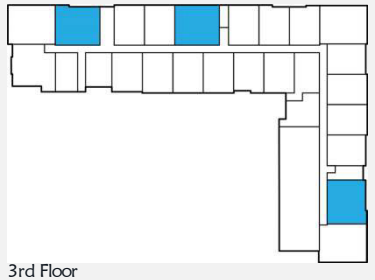
Level 3 Unit Type A



Level 4-7 Unit Type A



Unit Type A - Plan
Scale 1/4"=1'-0"



3rd Floor

Floors 4-7

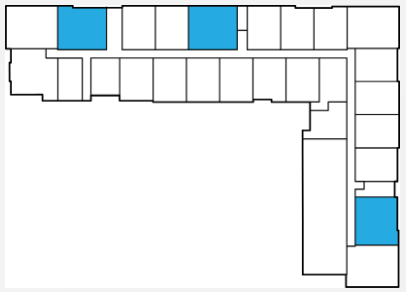
Polished Concrete Flooring (Base Design)

LVT Flooring - Wood Finish (Alternate Design)

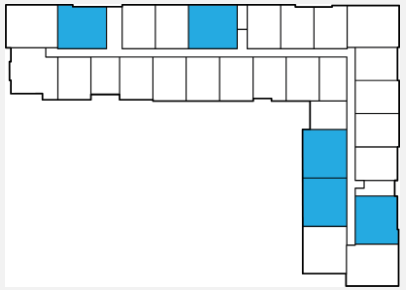
Note:
Images for quick reference only. See Architectural drawing sheets for further information.

Unit Type C - Typical Two Bed Two Bath

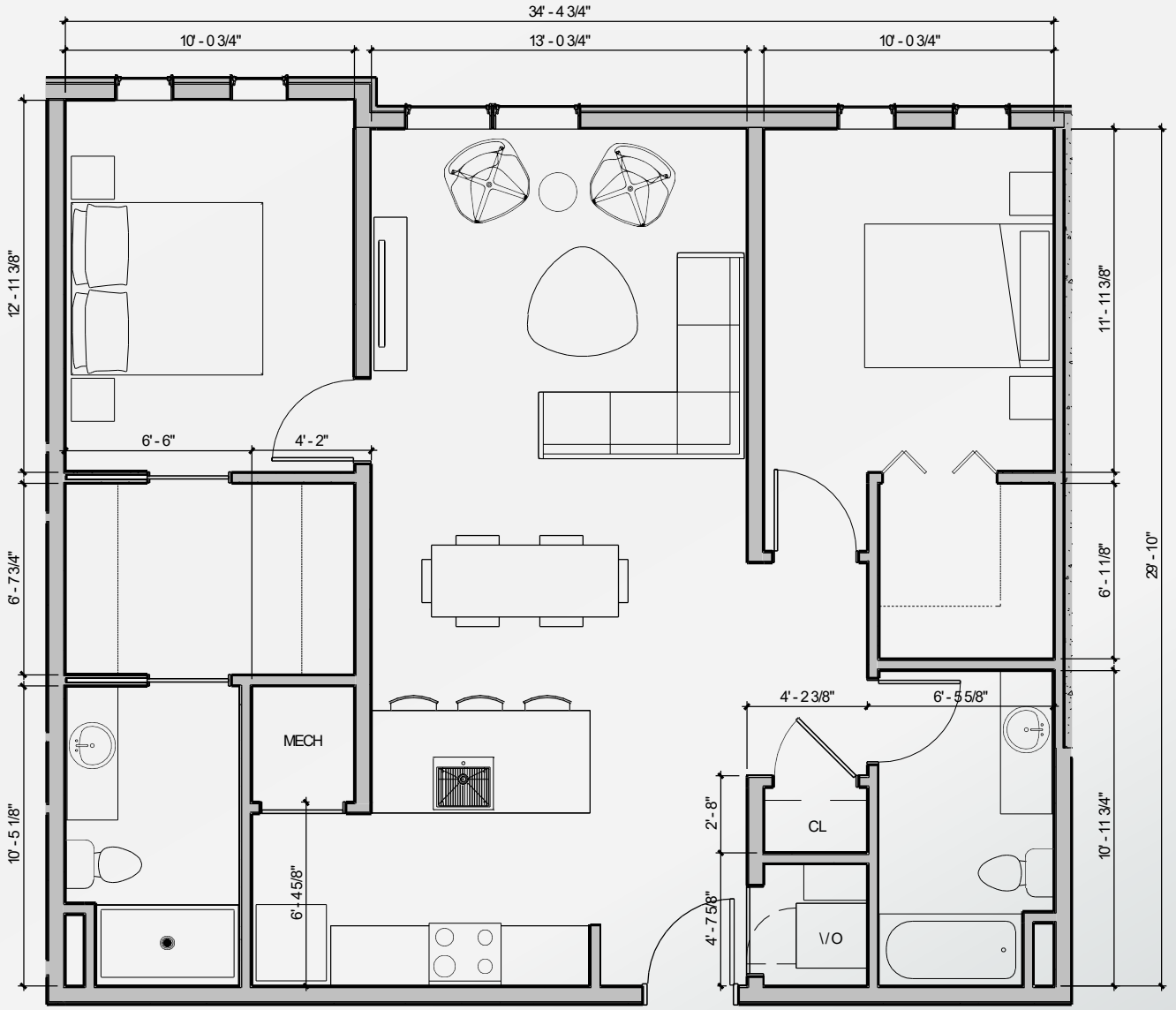
- Total Number of Units 40 Units
- Total Square Feet 1035-1059 sf
  (Interior face of GWB)



Level 3 Unit Type C



Level 4-7 Unit Type C



Unit Type C - Plan
Scale 1/4"=1'-0"

Aucoustical Material Tight to Utilities
(Basis of design: Painted TECTUM)

1/4" Aluminum Powder Coated Plate w/ Wood Inlay, Backlit w/ LED Strip

Linear Light Fixture Above Door

Painted GWB Wall Finish

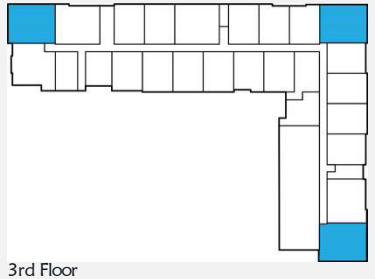
Large Scale Wall Graphic
At End of Hallway

4" Wood Base Trim

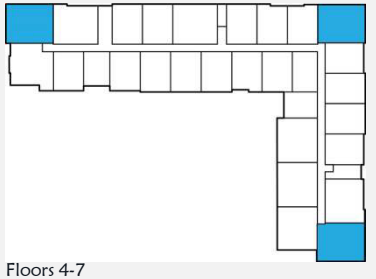
1 Hr Rated Solid Wood Door in Hollow Metal Frame

Carpet Tiles
(Basis of design: Mohawk Group Micro LICHEN Bloom Tile
GOLDSPECK - 941
FROSTED SHIELD - 937)

Note:
Images for quick reference only. See Architectural drawing sheets for further information.



3rd Floor



Floors 4-7

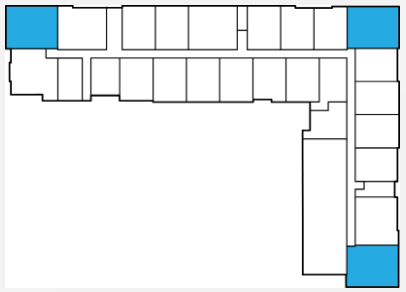
Polished Concrete Flooring (Base Design)

LVT Flooring - Wood Finish (Alternate Design)

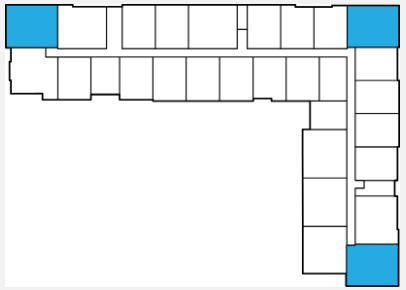
Note:
Images for quick reference only. See Architectural drawing sheets for further information.

Unit Type D - Typical Two Bed Two Bath

- Total Number of Units 15 Units
- Total Square Feet 1090 sf
  (Interior face of GWB)

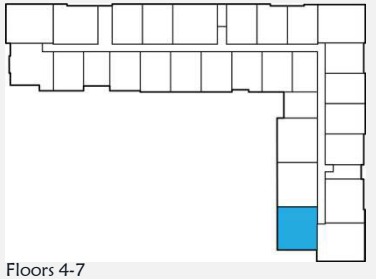


Level 3 Unit Type D



Level 4-7 Unit Type D

Unit Type D - Plan
Scale 1/4"=1'-0"



Floors 4-7

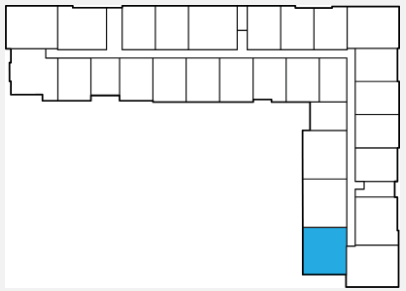
Polished Concrete Flooring (Base Design)

LVT Flooring - Wood Finish (Alternate Design)

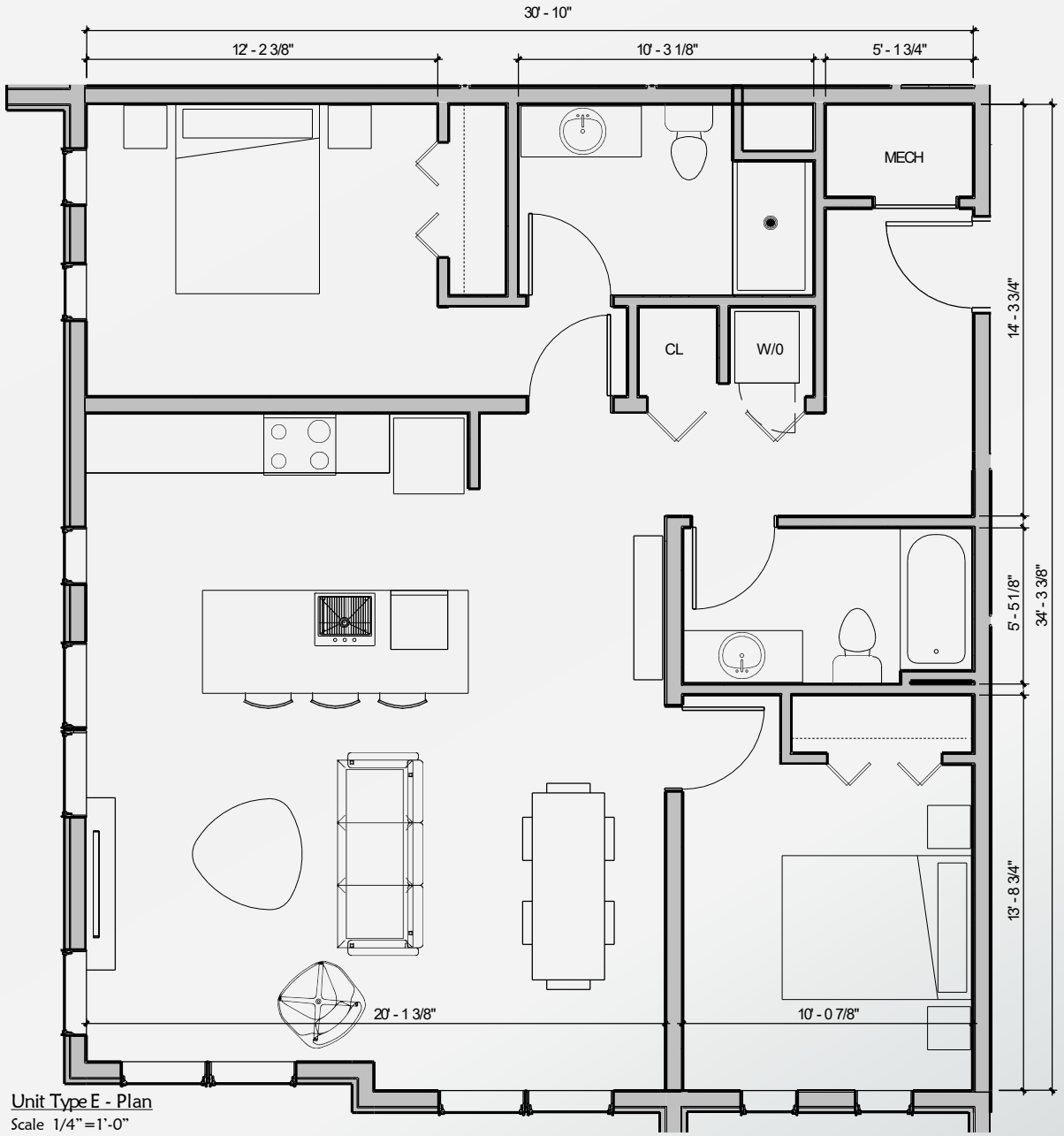
Note:
Images for quick reference only. See Architectural drawing sheets for further information.

Unit Type E - Two Bedroom Two Bath

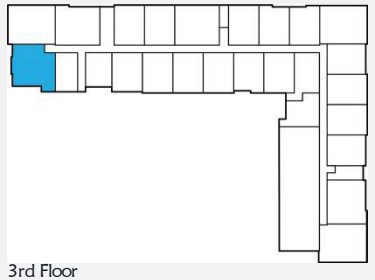
- Total Number of Units 4 Units
- Total Square Feet 1036 sf
  (Interior face of GWB)



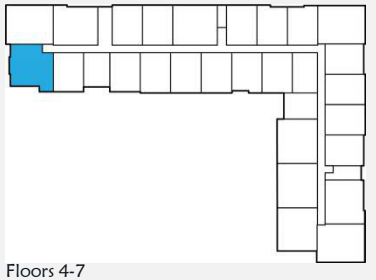
Level 4-7 Unit Type E



Unit Type E - Plan
Scale 1/4"=1'-0"



3rd Floor



Floors 4-7

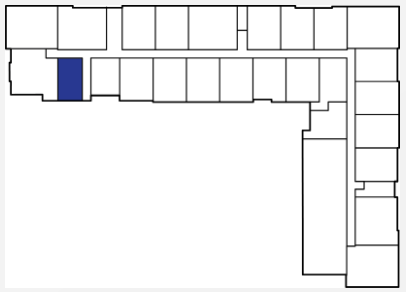
Polished Concrete Flooring (Base Design)

LVT Flooring - Wood Finish (Alternate Design)

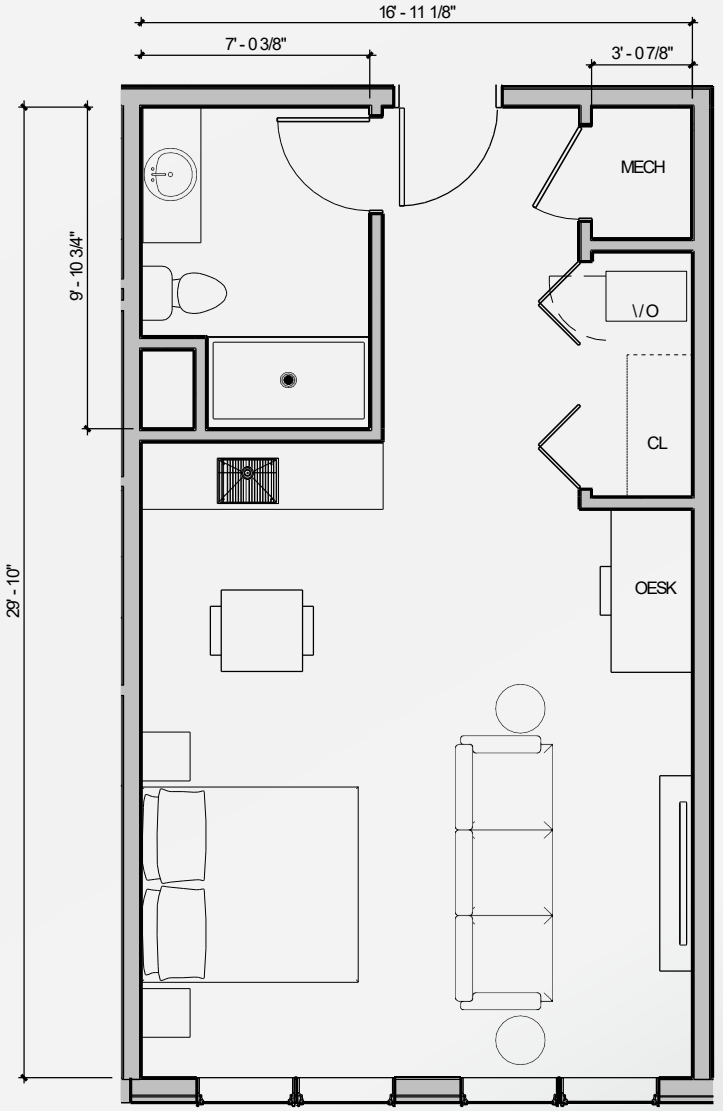
Note:
Images for quick reference only. See Architectural drawing sheets for further information.

Unit Type G - Single Guest Unit

- Total Number of Units 1 Unit
- Total Square Feet 505 sf
  (Interior face of GWB)



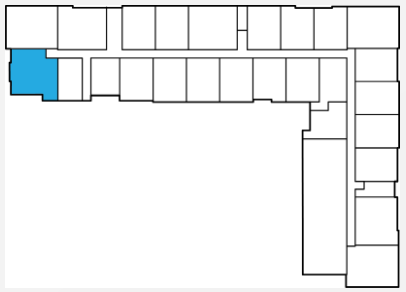
Level 3 Unit Type G



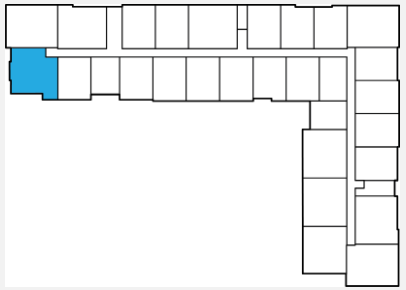
Unit Type G - Plan
Scale 1/4"=1'-0"

Unit Type F - Two Bed Two Bath

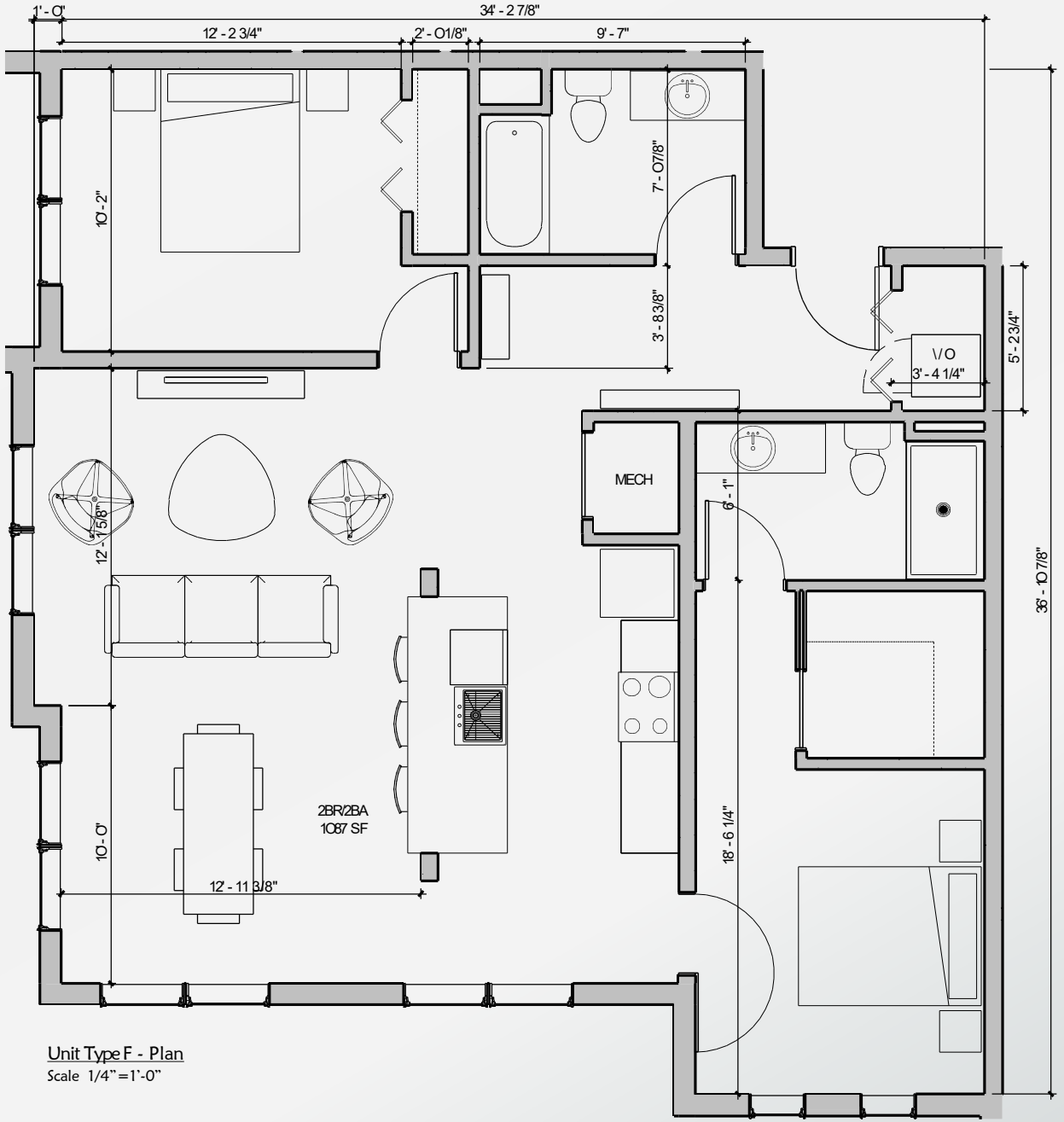
- Total Number of Units 5 Units
- Total Square Feet 1087 sf
  (Interior face of GWB)



Level 3 Unit Type F



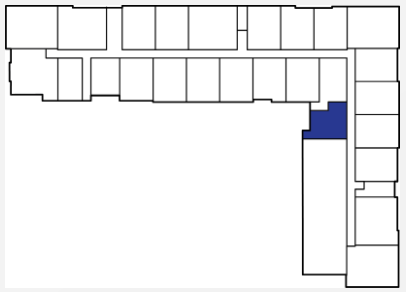
Level 4-7 Unit Type F



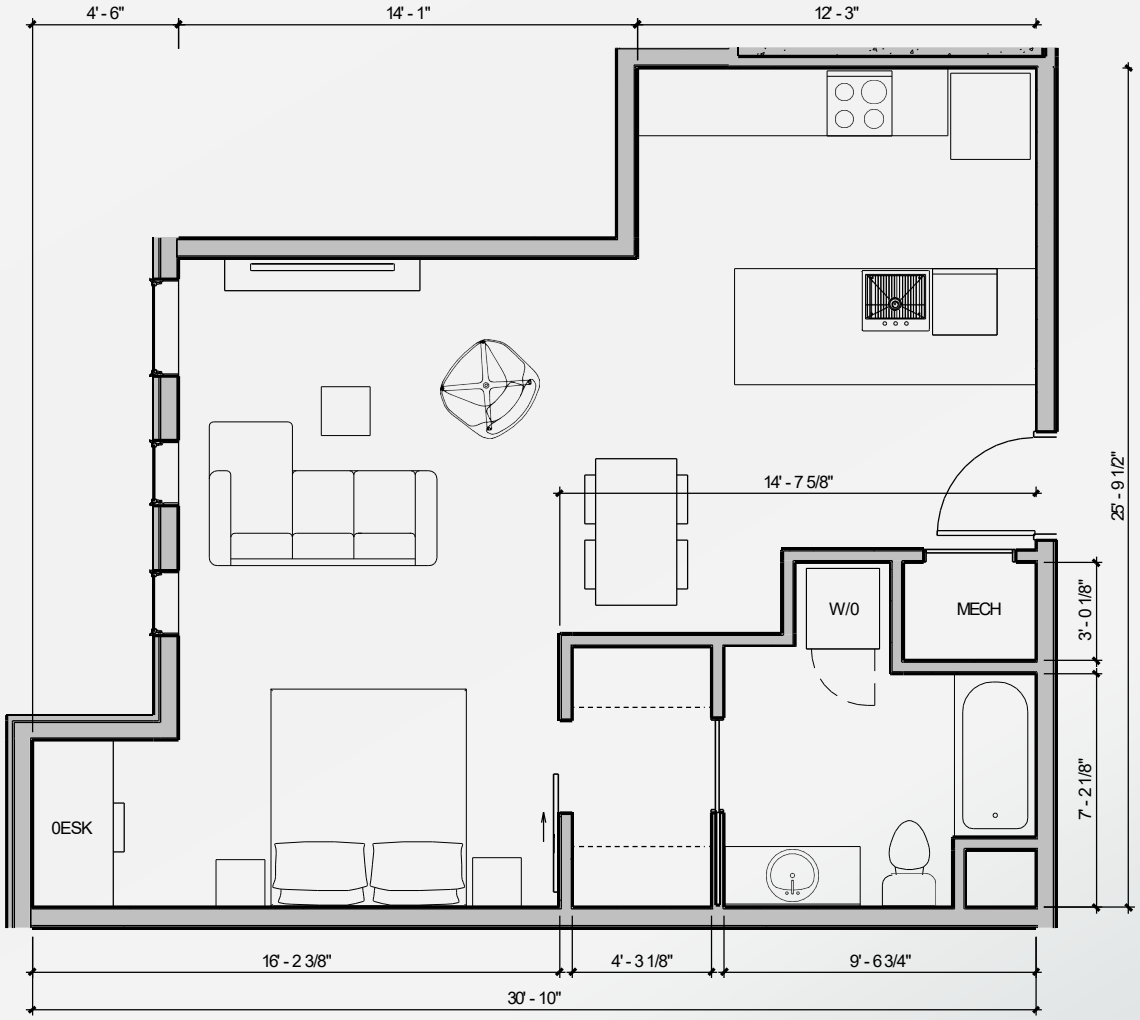
Unit Type F - Plan
Scale 1/4"=1'-0"

Unit Type H - Unique Corner Studio

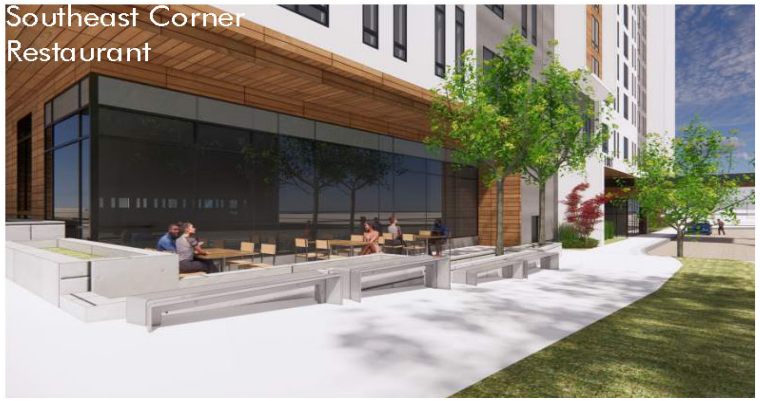
- Total Number of Units 1 Units
- Total Square Feet 528 sf
  (Interior face of GWB)



Level 3 Unit Type H



Unit Type H - Plan
Scale 1/4"=1'-0"

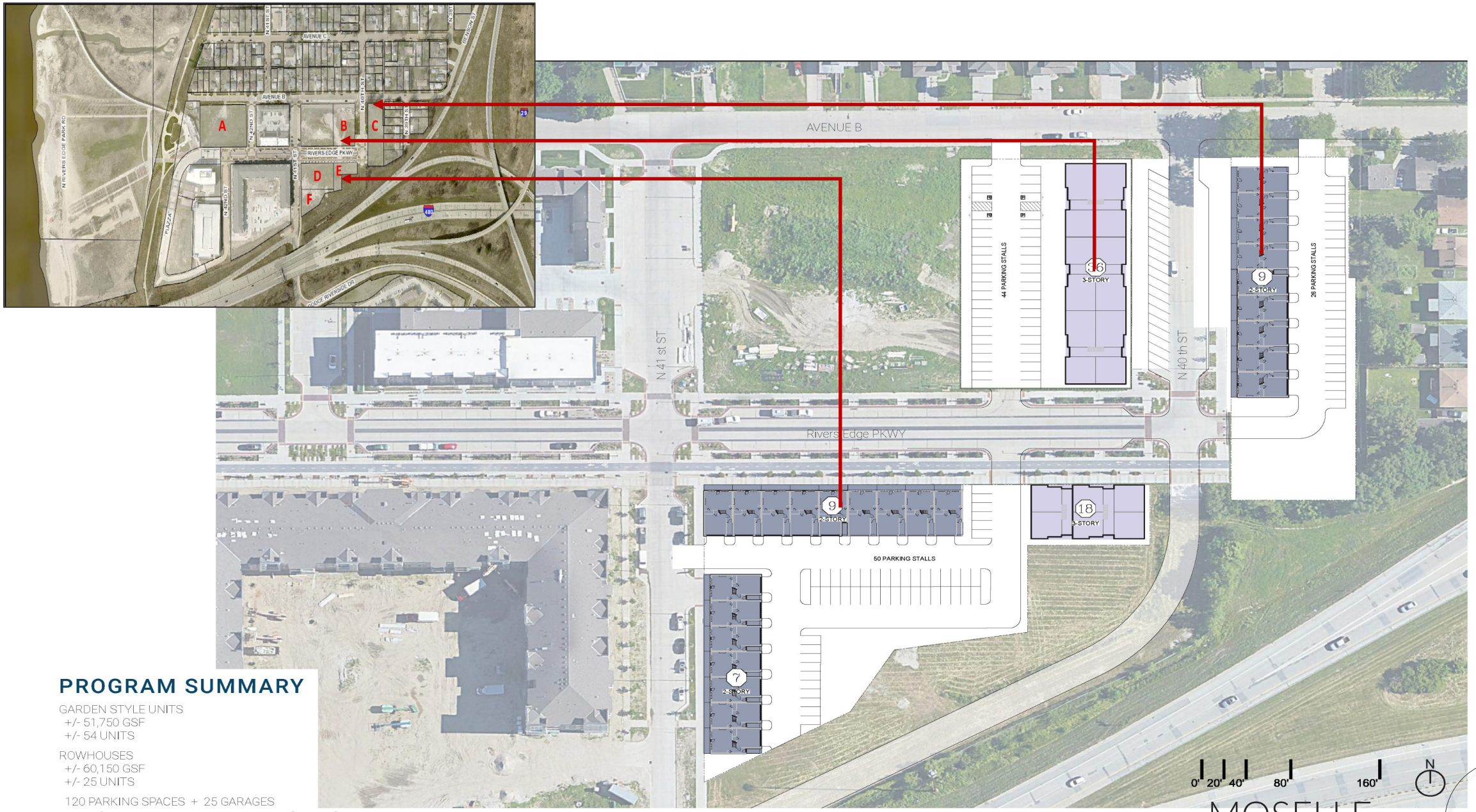


Note:
Images for quick reference only. See Architectural drawing sheets for further information.

PROJECT RENDERINGS

DESIGN

SITES: B-F



PROGRAM SUMMARY

GARDEN STYLE UNITS
+/- 51,750 GSF
+/- 54 UNITS

ROWHOUSES
+/- 60,150 GSF
+/- 25 UNITS

120 PARKING SPACES + 25 GARAGES

SITE PLAN LOTS: B-F

NOTE: THIS INFORMATION IS CONCEPTUAL IN NATURE AND IS SUBJECT TO ADJUSTMENTS PENDING FURTHER VERIFICATION AND CLIENT, TENANT AND GOVERNMENTAL AGENCY APPROVALS. NO WARRANTIES OR GUARANTEES OF ANY KIND ARE GIVEN OR IMPLIED BY THE ARCHITECT

DLRGROUP

COPYRIGHT© 2022

MOSELLE

TOWNHOUSE

Town Home

- 2 Bedroom, 2.5 Bathroom
- Net Rentable Area 1400 sf
- Total Number of Units 54

Total = 54 Units

Interior View

ROWHOME

Row House
- 2 Bedroom, 2.5 Bathroom
- Net Rentable Area 1363 sf
- Total Number of Units 15

Row House
- 3 Bedroom, 2.5 Bathroom
- Net Rentable Area 1486 sf
- Total Number of Units 10

Total = 25 Units

Interior View

TEAM BIOS

Established in 1981 and headquartered in Omaha, The Lund Company was founded as a property management firm servicing clients in the local Omaha market. Throughout the years, the Company expanded into other markets (one being Council Bluffs, IA) and added an array of complimentary real estate services, making it one of Omaha's largest and most complete commercial and multi-family real estate firms. In 2012, The Lund Company joined the Cushman & Wakefield (C&W) Alliance as a member, extending their reach nationally and providing them with the full capacity of C&W's resources and platform.

The Alliance consists of specially-selected independent firms, who provide clients with extended geographic reach through elite commercial real estate professionals and high-quality, comprehensive services. Operating as a unified team, C&W and the Alliance firms integrate the strength of local talent, relationships, and market intelligence with the full capacity of C&W's resources and platform.

Today, Cushman & Wakefield/The Lund Company is a company of more than 350 employees working towards one goal: making their clients successful. The growth of the C&W Alliance is a measure of the commitment they make each day. By focusing on results-oriented services, their clients return to them with referrals and repeat business. In addition, their years of experience in Omaha and Council Bluffs give them a front row seat to the rapid growth of both MSAs. With that comes the ability to spot new trends and provide unique opportunities for their clients.

LUND COMPANY

- Founded in 1981
- Full Service Commercial Real Estate
- Joined Cushman & Wakefield Alliance Program in 2013
- More than 300 employees
- Market and manage over 8 million SF of properties valued at more than $1 billion

We manage:
- 1.8 Million RSF
- 14,000 multi-family units
- Voted best Property Management company 2006-2020 by B2B

OUR MISSION

To be a catalyst that maximizes the value of real estate to building owners, occupants, the community and the environment.

Baxter Companies is a full-service development and construction company focused on Multi-Family, Hospitality, and Gaming with over 75 years of experience that is currently being run by Tony & Michael Baxter

Established in 1945 by Kenneth David Baxter in Carthage, Illinois, Baxter Companies continues to build on his excellence of Trust, Performance, and Results.
Baxter Companies is licensed in over 30 states and has an average annual volume of $300m. Hosting over $2 billion in New Construction their strength and success derive from our skilled teams and understanding that the best results come from the best plan.

Since inception, Baxter Companies has developed and built over 1,000,000 sf of Senior Living, 2,000,000 sf of Multifamily, 500,000 sf of Education, 1,000,000 sf of Gaming, 700,000 sf of Retail and 2,000,000 sf of Hospitality. Baxter Companies realized in its early stages that the success of any project was predicated upon building teams through relationships and relationships are built by serving others. Baxter's focus as a company is to serve others and to help our partners scale their businesses without the challenges that real estate development brings.

For more information, please visit https://baxterconstructionco.com/

BAXTER COMPANIES
TRUST. PERFORMANCE. RESULTS.

Tony Baxter is the CEO and third generation of Baxter Companies. Tony has worked in the construction industry his entire life and took over the operations from his Father in 1996 transitioning the company from local residential to national commercial. As the CEO for Baxter, his leadership oversees the strategic direction of the company to ensure success for both Baxter's clients and employees. Tony works closely as an integral part of the team with the owner and the design professionals throughout the entire project phases. Building on his family's established reputation of quality a Baxter project achieves its success through his dedication to quality, proactive construction processes, and his strict attention to detail.

Michael Baxter is the fourth-generation President of Baxter Companies and has worked in the construction business since he could hold a hammer. Michael is well versed in all facets of the construction and Real Estate Development industry which has provided him with the leadership and experience to continue a family led tradition of Trust, Performance, Results. As President, Michael is responsible for strategic planning, Client relations and company/employee development.

Our MISSION is to develop leadership that creates excitement, fulfillment, and lasting relationships with the people, communities, and markets that we serve.

FINANCIAL

FINANCIAL PROJECTIONS

MOSELLE-RESIDENTIAL
Council Bluffs, IA
ANNUAL CASH FLOW

Analysis Year	Year 0	Year 1	Year 2	Year 3	Year 4	Year 5	Year 6	Year 7
Period Ending	Nov-2022	Nov-2023	Nov-2024	Nov-2025	Nov-2026	Nov-2027	Nov-2028	Jun-2029
ANNUAL DEVELOPMENT CASH FLOWS								
Land Costs	-	629,140	-	-	-	-	-	-
Hard Costs	-	29,749,920	40,525,280	-	-	-	-	-
Soft Costs	-	9,774,692	26,000	-	-	-	-	-
TOTAL PROJECT COST BEFORE FINANCING	-	40,153,752	40,551,280	-	-	-	-	-
Carry Costs	-	750,973	2,178,083	88,048	-	-	-	-
TOTAL PROJECT COST	-	40,904,726	42,729,363	88,048	-	-	-	-
SOURCES	-	40,904,726	42,729,363	88,048	-	-	-	-
USES	-	40,904,726	42,729,363	88,048	-	-	-	-
ANNUAL OPERATING CASH FLOWS								
Rental Income	-	-	640,121	4,608,185	5,353,359	5,503,689	5,664,894	3,384,197
Other Income	-	-	127,785	927,756	1,082,884	1,115,370	1,148,831	683,422
Retail Income (Net of Expenses)	-	-	-	-	-	-	-	-
TOTAL POTENTIAL INCOME	-	-	767,906	5,535,941	6,436,242	6,619,060	6,813,726	4,067,619
- General Vacancy and Credit Loss	-	-	(38,395)	(276,797)	(321,812)	(330,953)	(340,686)	(203,381)
EFFECTIVE GROSS REVENUE	-	-	729,511	5,259,144	6,114,430	6,288,107	6,473,039	3,864,238
OPERATING EXPENSES								
Repairs and Maintenance	-	-	51,667	156,292	160,199	164,204	168,309	99,803
Payroll	-	-	88,333	267,208	273,889	280,736	287,754	170,631
General & Administrative	-	-	13,473	46,975	49,610	50,850	52,122	30,907
Marketing	-	-	15,000	45,375	46,509	47,672	48,864	28,975
Utilities	-	-	15,507	64,530	70,281	72,038	73,839	43,785
Contract Services	-	-	18,245	63,612	67,180	68,860	70,581	41,853
Make Ready Cost	-	-	20,000	60,500	62,013	63,563	65,152	38,633
Management Fee	-	-	21,885	157,774	183,433	188,643	194,191	115,927
Insurance	-	-	24,333	73,608	75,449	77,335	79,268	47,004
Property Taxes	-	-	583	2,363	4,843	7,416	7,601	4,507
TOTAL OPERATING EXPENSES	-	-	269,027	938,238	993,405	1,021,316	1,047,681	622,025
NET OPERATING INCOME	-	-	460,484	4,320,906	5,121,025	5,266,791	5,425,359	3,242,213
CAPITAL EXPENDITURES	-	-	8,206	59,470	69,092	70,820	72,590	43,044
CASH FLOW FROM OPERATIONS	-	-	452,277	4,261,436	5,051,933	5,195,971	5,352,769	3,199,169
ANNUAL PROPERTY-LEVEL CASH FLOWS								
Net Unlevered Cash Flow	-	(40,153,752)	(40,099,002)	4,261,436	5,051,933	5,195,971	5,352,769	109,732,511
Net Levered Cash Flow	-	(25,152,925)	(0)	1,128,699	1,830,626	1,974,664	2,131,462	49,284,204

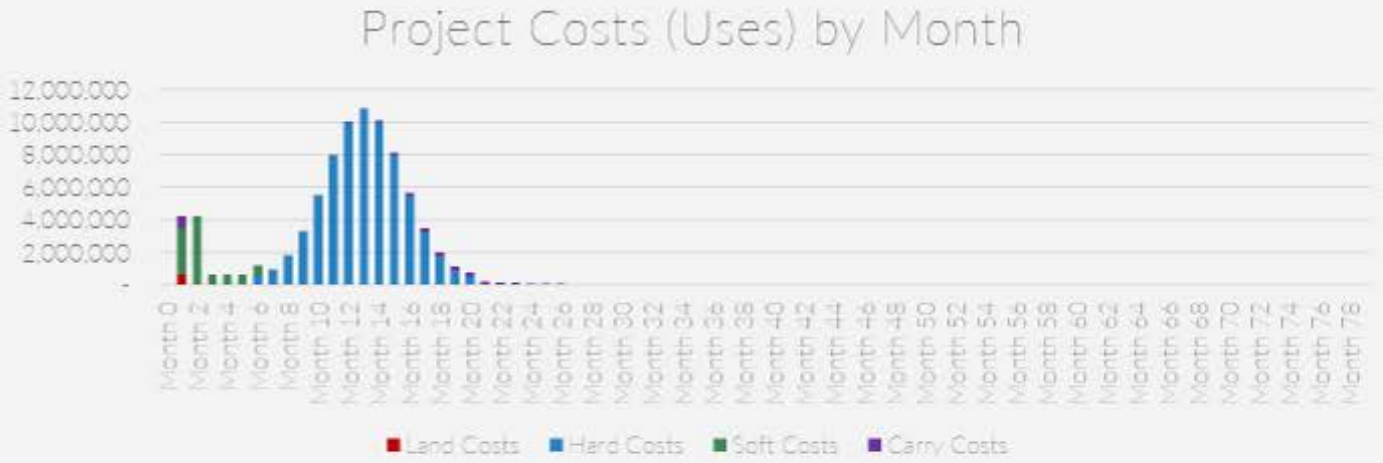
APPENDIX

Growth Rates - Income / Expense	3.00% / 2.50%
Effective Rent - PSF / Per Unit	1.87 / 1,557
General Vacancy & Credit Loss	5.00%
Operating Expense Ratio	16.23%
Breakeven Occupancy (Untrended)	70.20%
Reversion Net Proceeds (After Selling Costs)	106,533,042
Construction Loan Payoff	(58,569,211)
Equity Proceeds from Sale	47,964,131

SOURCES	%	/Unit	Amount
Construction Loan	70.0%	209,925	58,569,211
Capital Partner	27.0%	81,138	22,637,633
Baxter Companies	3.0%	9,015	2,515,293
Total Sources	100.0%	300,079	83,722,136

PRO FORMA	Untrended	Trended	Sale
Effective Gross Revenue	5,942,586	6,030,328	6,766,850
- Operating Expenses	(964,278)	(983,314)	(1,088,677)
Net Operating Income	4,978,309	5,047,014	5,678,173
- Capital Expenditures	(66,850)	(68,243)	(75,027)
Cash Flow from Operations	4,911,459	4,978,772	5,602,846
Cap Rate	5.50%	5.40%	5.25%
Valuation	90,514,704	93,430,376	108,155,677
% of Total Project Cost	108.1%	111.6%	129.2%
Valuation/Unit	324,425	334,876	387,655

USES	%	/Buildable SF	/Unit	Amount
Land Costs	0.8%	1.96	2,255	629,140
Hard Costs	83.9%	218.97	251,882	70,275,200
Soft Costs	11.7%	30.54	35,128	9,800,692
Carry Costs	3.6%	9.40	10,814	3,017,105
Total Uses	100.0%	260.87	300,079	83,722,136



SOURCES & USES

PROJECT TIMELINE

MOSELLE

Council Bluffs, IA

ATTACHED DOCUMENTS

1. RFP Application
2. Financial Projections
3. Project Contingencies

*Intent to Request Letter

THANK YOU

baxterconstructionco.com

(319) 372-7285

904 Walnut St. Suite 101, Des Moines, IA 50309

MOSELLE

This document contains confidential information and is intended only for the person this document is sent, displayed or given to. This document is provided for informational purposes only.

BAXTER COMPANIES

October 4th, 2022

Mayor Matt Walsh
City of Council Bluffs
209 Pearl Street
Council Bluffs, IA 51503

RE: Intent to Apply for Tax Increment Financing (Rivers Edge)

Dear Mayor Walsh:

Please accept this Letter of Intent as required pursuant to the Playland Park (Rivers Edge) Neighborhood Development request for proposal (RFP). We are interested in applying for this Program and would like to discuss with you any opportunity for municipal support in the form of Tax Increment Financing (TIF) on local property tax and/or personal property or a Special Tax Assessment (STA) on real property for our proposed project at the following.

The following properties are the subject of this Request for Proposals (RFP):

- Parcel A: Block 1, River's Edge Subdivision (1.72 acres)
- Parcel B: Lot 2, Block 3, River's Edge Subdivision, Replat 2 (.81 acres)
- Parcel C: Block 4, River's Edge Subdivision (.86 acres)
- Parcel D: Lot 1, Block 5, River's Edge Subdivision, Replat 2 (.75 acres)
- Parcel E: Lot 3, Block 5, River's Edge Subdivision, Replat 2 (.35 acres)
- Parcel F: Lot 2, Block 5, River's Edge Subdivision, Replat 2 (.42 acres)

We are aware that a TIF or STA requires final approval from the City Council. If not for the tax incentives available through this program, it would not be possible to complete the proposed project as planned.

Baxter Companies is therefore requesting that you accept this letter as the formal letter of intent required under the Playland Park (Rivers Edge) Neighborhood Development, (RFP).

Very truly yours,

Signature

Michael Baxter

President

cc: City of Council Bluffs Council

RESOLUTION NO. 22-302

RESOLUTION DECLARING THE INTENT OF THE CITY TO ACCEPT A PROPOSAL RECEIVED IN ACCORDANCE WITH THE REQUESTS FOR PROPOSALS AND TO ENTER INTO A PURCHASE, SALE, AND DEVELOPMENT AGREEMENT BASED ON THE SELECTED PROPOSAL

WHEREAS, this Council has previously found and determined that certain areas located within the City are eligible and should be designated as an urban renewal area under Iowa law, and, by Resolution No. 03-138 in 2003, approved and adopted the Playland Park Urban Renewal Plan (the "Plan" or "Urban Renewal Plan") for the Playland Park Urban Renewal Area (the "Area" or "Urban Renewal Area") described therein, which Plan is on file in the office of the Recorder of Pottawattamie County; and

WHEREAS, the Plan has been amended five times by amendments adopted in 2005, 2009, 2014, 2016, and 2019; and

WHEREAS, the City owns certain real property located within the Urban Renewal Area consisting of Block 1, River's Edge Subdivision, Lot 2, Block 3, River's Edge Subdivision, Replat 2, Block 4, River's Edge Subdivision, and Lots 1 through 3, Block 5, River's Edge Subdivision, Replat 2 which all together total 4.91 acres (the "Development Property"); and

WHEREAS, the Plan provides for, among other things, the disposition of properties for development or redevelopment as an urban renewal project; and

WHEREAS, by Resolutions No. 22-210 and 22-211, both adopted August 22, 2022, this Council approved a Request for Proposals to purchase and develop the Development Property into multi-family or mixed-use housing, which Request for Proposals set forth minimum requirements for proposals to develop the Development Property and evaluation criteria for such proposals; Council determined that the minimum development requirements, competitive criteria, and procedures set forth in the Request for Proposals were "reasonable competitive bidding procedures" in substantial conformance with the provisions of Iowa Code Section 403.8; and directed that notice of the City's intention to accept proposals for the sale and redevelopment of the Development Property in accordance with the procedures set forth in the Request for Proposals be published; and

WHEREAS, notice of the City's intention to accept proposals for the sale and redevelopment of the Development Property in accordance with the procedures set forth in the Request for Proposals was duly published in the NonPareil, a legal newspaper published at least once weekly and having general circulation in said City, in conformance with Iowa Code Section 362.3; and

WHEREAS, following evaluation of the submitted proposals, this Council has selected one proposal that it intends to accept; and

WHEREAS, this Council desires to declare its intent to accept a proposal, subject to the approval of a purchase, sale, and development agreement to be drafted by the City's legal counsel.

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

1. The Development Property offered for sale and redevelopment in accordance with the terms and conditions contained in the Request for Proposals, subject to the approval of a purchase, sale, and development agreement, is legally described as follows:

   Block 1, River's Edge Subdivision

2. It is hereby determined that the proposal submitted by Baxter Development, LLC (the "Proposal") satisfies the requirements of the Request for Proposals and, subject to the drafting and execution of a purchase, sale, and development agreement drafted by the City's legal counsel for the sale and redevelopment of the Development Property under the terms of the Proposal, with such modifications as determined appropriate by the City Council, the City intends to accept the Proposal no sooner than thirty (30) days from the date of this resolution and following completion of a public hearing.

3. City staff is hereby authorized and directed to work with the City's legal counsel to draft and negotiate a purchase, sale, and development agreement consistent with the terms of the Proposal, subject to modifications as determined appropriate by the City Council; to set a public hearing to consider the purchase, sale and redevelopment agreement no sooner than thirty (30) days from the date of this resolution; and to publish notice of such public hearing in a manner consistent with Iowa law.

PASSED AND APPROVED this 28th day of November, 2022.

_____
Matthew J. Walsh, Mayor

ATTEST: _____
Jodi Quakenbush, City Clerk

RESOLUTION NO. 22-303

RESOLUTION DECLARING THE INTENT OF THE CITY TO ACCEPT A PROPOSAL RECEIVED IN ACCORDANCE WITH THE REQUESTS FOR PROPOSALS AND TO ENTER INTO A PURCHASE, SALE, AND DEVELOPMENT AGREEMENT BASED ON THE SELECTED PROPOSAL

WHEREAS, this Council has previously found and determined that certain areas located within the City are eligible and should be designated as an urban renewal area under Iowa law, and, by Resolution No. 03-138 in 2003, approved and adopted the Playland Park Urban Renewal Plan (the "Plan" or "Urban Renewal Plan") for the Playland Park Urban Renewal Area (the "Area" or "Urban Renewal Area") described therein, which Plan is on file in the office of the Recorder of Pottawattamie County; and

WHEREAS, the Plan has been amended five times by amendments adopted in 2005, 2009, 2014, 2016, and 2019; and

WHEREAS, the City owns certain real property located within the Urban Renewal Area consisting of Block 1, River's Edge Subdivision, Lot 2, Block 3, River's Edge Subdivision, Replat 2, Block 4, River's Edge Subdivision, and Lots 1 through 3, Block 5, River's Edge Subdivision, Replat 2 which all together total 4.91 acres (the "Development Property"); and

WHEREAS, the Plan provides for, among other things, the disposition of properties for development or redevelopment as an urban renewal project; and

WHEREAS, by Resolutions No. 22-210 and 22-211, both adopted August 22, 2022, this Council approved a Request for Proposals to purchase and develop the Development Property into multi-family or mixed-use housing, which Request for Proposals set forth minimum requirements for proposals to develop the Development Property and evaluation criteria for such proposals; Council determined that the minimum development requirements, competitive criteria, and procedures set forth in the Request for Proposals were "reasonable competitive bidding procedures" in substantial conformance with the provisions of Iowa Code Section 403.8; and directed that notice of the City's intention to accept proposals for the sale and redevelopment of the Development Property in accordance with the procedures set forth in the Request for Proposals be published; and

WHEREAS, notice of the City's intention to accept proposals for the sale and redevelopment of the Development Property in accordance with the procedures set forth in the Request for Proposals was duly published in the NonPareil, a legal newspaper published at least once weekly and having general circulation in said City, in conformance with Iowa Code Section 362.3; and

WHEREAS, following evaluation of the submitted proposals, this Council has selected one proposal that it intends to accept; and

WHEREAS, this Council desires to declare its intent to accept a proposal, subject to the approval of a purchase, sale, and development agreement to be drafted by the City's legal counsel.

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

1. The Development Property offered for sale and redevelopment in accordance with the terms and conditions contained in the Request for Proposals, subject to the approval of a purchase, sale, and development agreement, is legally described as follows:

   Lot 2, Block 3, River's Edge Subdivision, Replat 2,
   Block 4, River's Edge Subdivision,
   Lots 1 through 3, Block 5, River's Edge Subdivision, Replat 2

2. It is hereby determined that the proposal submitted by Broadmoor (the "Proposal") satisfies the requirements of the Request for Proposals and, subject to the drafting and execution of a purchase, sale, and development agreement drafted by the City's legal counsel for the sale and redevelopment of the Development Property under the terms of the Proposal, with such modifications as determined appropriate by the City Council, the City intends to accept the Proposal no sooner than thirty (30) days from the date of this resolution and following completion of a public hearing.

3. City staff is hereby authorized and directed to work with the City's legal counsel to draft and negotiate a purchase, sale, and development agreement consistent with the terms of the Proposal, subject to modifications as determined appropriate by the City Council; to set a public hearing to consider the purchase, sale and redevelopment agreement no sooner than thirty (30) days from the date of this resolution; and to publish notice of such public hearing in a manner consistent with Iowa law.

PASSED AND APPROVED this 28th day of November, 2022.

_____
Matthew J. Walsh, Mayor

ATTEST: _____
Jodi Quakenbush, City Clerk

Council Communication

Department: Community Development
Case/Project No.:
Submitted by: Housing & Economic Development

Resolutions 22-304 through 22-310
ITEM 4.E.

Council Action: 11/28/2022

Description

Resolutions 22-304 through 22-310, to repeal Urban Revitalization plans and areas for; the Peterson School; Indian Creek South; Bluff Street; South 4th Street; Pine Ridge; Hawkeye Heights and Gunn School.

Background/Discussion

See attached staff report.

Recommendation

ATTACHMENTS:

Description	Type	Upload Date
Staff Report	Staff Report	11/18/2022
Resolution 22-304	Resolution	11/22/2022
Resolution 22-305	Resolution	11/22/2022
Resolution 22-306	Resolution	11/22/2022
Resolution 22-307	Resolution	11/22/2022
Resolution 22-308	Resolution	11/22/2022
Resolution 22-309	Resolution	11/22/2022
Resolution 22-310	Resolution	11/22/2022

Council Communication
November 28, 2022 City Council Meeting

Department: Community Development Case/Project Nos.: URV-18-002, URV 11-002, URV -10-003, URV-18-003, URV-10-004, URV 16-001, URV-14-004	Ordinance Nos.: Resolution Nos.: 22-	First Reading: 11-28-22 Second Reading: N/A Third Reading: N/A Public Hearing: 11-28-22

Subject/Title

1) Repeal of the Peterson School Urban Revitalization Plan, Area and Ordinance
2) Repeal of the Indian Creek South Urban Revitalization Plan, Area and Ordinance
3) Repeal Bluff Street Urban Revitalization Plan, Area and Ordinance
4) Repeal South 4th Street Urban Revitalization Plan, Area and Ordinance
5) Repeal Pine Ridge Urban Revitalization Plan, Area and Ordinance
6) Repeal Hawkeye Heights Urban Revitalization Plan, Area and Ordinance
7) Repeal Gunn School Urban Revitalization Plan, Area and Ordinance

Background/Discussion

Background

Chapter 404 of the Iowa Code authorizes a City to designate an area as an urban revitalization area. Improvements to qualified real estate within designated areas may then be eligible to receive a total or partial exemption from property taxes for a specified number of years. The exemptions are intended to stimulate private investment by reducing the tax increase that would normally result from making improvements to real estate property. Urban revitalization tax abatement incentives apply to commercial development, industrial development and multi-family residential development (12 units or more). Both new construction on vacant or unimproved land and the rehabilitation of existing structures are eligible for tax abatement.

The City of Council Bluffs currently has 21 urban revitalization areas. Several of these areas projects have been completed. As a result, these seven areas should now be repealed.

Discussion

Peterson School – The Peterson School Urban Revitalization Area was originally adopted on April 9, 2018 by Resolution 18-93 and Ordinance 6324. As a result of the creation of this urban revitalization area, Lake Creek Properties, LLC renovated an existing structure in to a post-secondary school specializing in hair design. The project is now complete.

Indian Creek South – The Indian Creek South Urban Revitalization Area was originally adopted on December 12, 2011 by Resolution 11-284 and Ordinance 6143. As a result of the creation of this urban revitalization area several commercial improvement projects were able to be completed.

Bluff Street – The Bluff Street Urban Revitalization Area was originally adopted on June 14, 2010 by Resolution 10-160 and Ordinance 6087. As a result of the creation of this urban revitalization area, J Development Company renovated the Kirn gym into 20 multi-family units. The project is now complete.

South 4th Street – The South 4th Street Urban Revitalization Area was originally adopted on April 9,

2018 by Resolution 18-94 and Ordinance 6325. As a result of the creation of this urban revitalization area, 7 South 4th Street, LLC constructed a family entertainment center. The project is now complete.

Pine Ridge – The Pine Ridge Urban Revitalization Area was originally adopted on June 14, 2010 by Resolution 10-161 and Ordinance 6088. As a result of the creation of this urban revitalization area, J Development renovated 96 multi-family units, parking areas, retaining walls and made drainage improvements. The project is now complete.

Hawkeye Heights – The Hawkeye Heights Urban Revitalization Area was originally adopted on February 22, 2016 by Resolution 16-23 and Ordinance 6269. As a result of the creation of this Urban Revitalization area, Agemark Senior Living developed a 34 unit senior memory care/assisted living facility. The project is now complete.

Gunn School – Gunn School Urban Revitalization Area was originally adopted on October 27, 2014 by Resolution 14-253 and Ordinance 6216. As a result of the creation of this Urban Revitalization area, Seldin renovated the Gunn School into 46 multi-family units for senior living. The project is now complete.

Staff Recommendation

The Community Development Department recommends repealing the Peterson School, Indian Creek South, Bluff Street, South 4th Street, Pine Ridge, Hawkeye Heights and Gunn School Urban Revitalization Plans and Areas and including the corresponding ordinances, effective November 28, 2022.

Attachments

Resolutions and Ordinances to Repeal

Prepared by: Marianne Collins, Housing & Economic Development Planner, Community Development Department
Submitted by: Courtney Harter, Housing & Economic Development Director, Community Development Department

RESOLUTION NO. 22-304

A RESOLUTION REPEALING THE PETERSON SCHOOL URBAN REVITALIZATION PLAN AND AREA.

WHEREAS, the City of Council Bluffs has the authority under Chapter 404 of the Iowa Code to declare areas to be urban revitalization areas; and

WHEREAS, on April 9, 2018, the City of Council Bluffs adopted Resolution No. 18-93 approving the Peterson School Urban Revitalization Plan; and

WHEREAS, the renovation of the EQ School of Hair Design is now complete and there is no longer a need for the Peterson School Urban Revitalization Plan and Area.

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

That the Peterson School Urban Revitalization Plan and Area are hereby repealed, effective November 28, 2022.

ADOPTED
AND
APPROVED November 28, 2022

Matthew J. Walsh Mayor

ATTEST:

Jodi Quakenbush City Clerk

RESOLUTION NO. 22-305

A RESOLUTION REPEALING THE INDIAN CREEK SOUTH URBAN REVITALIZATION PLAN AND AREA.

WHEREAS, the City of Council Bluffs has the authority under Chapter 404 of the Iowa Code to declare areas to be urban revitalization areas; and

WHEREAS, on December 12, 2011, the City of Council Bluffs adopted Resolution No. 11-284 approving the Indian Creek South Urban Revitalization Plan; and

WHEREAS, the project is now complete and there is no longer a need for the Indian Creek South Urban Revitalization Plan and Area.

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

That the Indian Creek South Urban Revitalization Plan and Area are hereby repealed, effective November 28, 2022.

ADOPTED
AND
APPROVED November 28, 2022

Matthew J. Walsh Mayor

ATTEST:

Jodi Quakenbush City Clerk

RESOLUTION NO. 22-306

A RESOLUTION REPEALING THE BLUFF STREET URBAN REVITALIZATION PLAN AND AREA.

WHEREAS, the City of Council Bluffs has the authority under Chapter 404 of the Iowa Code to declare areas to be urban revitalization areas; and

WHEREAS, on June 14, 2010, the City of Council Bluffs adopted Resolution No. 10-160 approving the Bluff Street Urban Revitalization Plan; and

WHEREAS, the renovation of the Kirn Gym is now complete and there is no longer a need for the Bluff Street Urban Revitalization Plan and Area.

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

That the Bluff Street Urban Revitalization Plan and Area are hereby repealed, effective November 28, 2022.

ADOPTED
AND
APPROVED November 28, 2022

Matthew J. Walsh Mayor

ATTEST:

Jodi Quakenbush City Clerk

RESOLUTION NO. 22-307

A RESOLUTION REPEALING THE SOUTH FOURTH STREET URBAN REVITALIZATION PLAN AND AREA.

WHEREAS, the City of Council Bluffs has the authority under Chapter 404 of the Iowa Code to declare areas to be urban revitalization areas; and

WHEREAS, on April 9, 2018, the City of Council Bluffs adopted Resolution No. 18-94 approving the South Fourth Street Urban Revitalization Plan; and

WHEREAS, the renovation of the family entertainment center is now complete and there is no longer a need for the South Fourth Street Urban Revitalization Plan and Area.

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

That the South Fourth Street Urban Revitalization Plan and Area are hereby repealed, effective November 28, 2022.

ADOPTED
AND
APPROVED November 28, 2022

Matthew J. Walsh Mayor

ATTEST:

Jodi Quakenbush City Clerk

RESOLUTION NO. 22-308

A RESOLUTION REPEALING THE PINE RIDGE URBAN REVITALIZATION PLAN AND AREA.

WHEREAS, the City of Council Bluffs has the authority under Chapter 404 of the Iowa Code to declare areas to be urban revitalization areas; and

WHEREAS, on June 14, 2010, the City of Council Bluffs adopted Resolution No. 10-161 approving the Pine Ridge Urban Revitalization Plan; and

WHEREAS, the renovation of the 96 multi-family unit complex is now complete and there is no longer a need for the Pine Ridge Urban Revitalization Plan and Area.

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

That the Pine Ridge Urban Revitalization Plan and Area are hereby repealed, effective November 28, 2022.

ADOPTED
AND
APPROVED November 28, 2022

Matthew J. Walsh Mayor

ATTEST:

Jodi Quakenbush City Clerk

RESOLUTION NO. 22-309

A RESOLUTION REPEALING THE HAWKEYE HEIGHTS URBAN REVITALIZATION PLAN AND AREA.

WHEREAS, the City of Council Bluffs has the authority under Chapter 404 of the Iowa Code to declare areas to be urban revitalization areas; and

WHEREAS, on February 22, 2016, the City of Council Bluffs adopted Resolution No. 16-23 approving the Hawkeye Heights Urban Revitalization Plan; and

WHEREAS, the construction of the 34 unit senior memory care/assisted living facility is now complete and there is no longer a need for the Hawkeye Heights Urban Revitalization Plan and Area.

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

That the Hawkeye Heights Urban Revitalization Plan and Area are hereby repealed, effective November 28, 2022.

ADOPTED
AND
APPROVED November 28, 2022

Matthew J. Walsh Mayor

ATTEST:

Jodi Quakenbush City Clerk

RESOLUTION NO. 22-310

A RESOLUTION REPEALING THE GUNN SCHOOL URBAN REVITALIZATION PLAN AND AREA.

WHEREAS, the City of Council Bluffs has the authority under Chapter 404 of the Iowa Code to declare areas to be urban revitalization areas; and

WHEREAS, on October 27, 2014, the City of Council Bluffs adopted Resolution No. 14-253 approving the Gunn School Urban Revitalization Plan; and

WHEREAS, the renovation of the 46 multi-family units is now complete and there is no longer a need for the Gunn School Urban Revitalization Plan and Area.

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

That the Gunn School Urban Revitalization Plan and Area are hereby repealed, effective November 28, 2022.

ADOPTED
AND
APPROVED November 28, 2022

Matthew J. Walsh Mayor

ATTEST:

Jodi Quakenbush City Clerk

Council Communication

Department: Community Development
Case/Project No.: URV-22-009
Submitted by: Housing & Economic Development

Ordinance 6532
ITEM 5.A.

Council Action: 11/28/2022

Description

Ordinance establishing the establishing the Black Squirrel Flats Urban Revitalization Area within the City of Council Bluffs. Location: Undeveloped property located at the northwest corner of S. 34th Street and 12th Avenue. URV-22-009

Background/Discussion

See attached staff report.

Recommendation

ATTACHMENTS:

Description	Type	Upload Date
Staff Report	Staff Report	11/18/2022
Attachment A: Boundary Map	Map	11/18/2022
Attachment B: Black Squirrel Flats Urban Revitalization Plan	Other	11/18/2022
Ordinance 6532	Ordinance	11/22/2022

Council Communication

Department: Community Development Case No.: URV-22-009 Submitted by: Housing & Economic Development	Ordinance No.:	Resolution of Intent: 10/24/2022 Planning Commission: 11/8/2022 Public Hearing & First Reading: 11/28/2022 Second Reading: 12/19/2022 Third Reading: Request to Waive

Subject/Title

Establishment of the Black Squirrel Flats Urban Revitalization Area.

Location

Undeveloped property located at the northwest corner of S. 34th Street and 12th Avenue.

Background/Discussion

Background

Chapter 404 of the Iowa Code authorizes a City to designate an area as an urban revitalization area. Improvements to qualified real estate within designated areas may then be eligible to receive a total or partial exemption from property taxes for a specified number of years. The exemptions are intended to stimulate private investment by reducing the tax increase that would normally result from making improvements to real estate property.

Urban revitalization tax abatement incentives can apply to residential, commercial and industrial development. Both new construction on vacant or unimproved land and rehabilitation of existing structures are eligible for tax abatement.

A proposal has been submitted to Community Development for the construction of a new multifamily development to be known as Black Squirrel Flats at the northwest corner of S. 34th Street and 12th Avenue. Final plat approval of a four-lot subdivision known as Black Squirrel Flats Subdivision which includes this parcel was approved by City Council on 8/8/2022. The new tax parcel information is pending an update from the Pottawattamie County Assessor and GIS. Community Development wishes to create the Urban Revitalization Area consisting of one parcel at this location.

Staff has prepared an Urban Revitalization Plan in accordance with Section 404.2 of the Iowa Code and has scheduled the matter for City Council consideration. The Black Squirrel Flats Urban Revitalization Area will consist of approximately 1.3 acres.

Discussion

Iowa Code permits the City to establish urban revitalization areas which satisfy one of the five conditions outlined in Section 404.1. Staff believes this project meets the criteria under 404.1.5. Section 404.1.5 discusses an area designated as appropriate for public improvements related to housing and residential development, or construction of housing and residential development, including single or multifamily housing.

On October 24, 2022, City Council approved Resolution 22-261, which directed staff to initiate the process of creating the Black Squirrel Flats Urban Revitalization Plan and Area. This resolution set November 28, 2022 as the date of the public hearing.

This matter was brought before the City Planning Commission at their November 8, 2022 meeting. The Commission found the following: 1) That the proposed Black Squirrel Flats Urban

Revitalization Plan furthers the goals of the City's *Bluffs Tomorrow: 2030 Plan,* which is the general plan for the development of the City of Council Bluffs; and 2) That the Black Squirrel Flats Urban Revitalization Area is an area appropriate for urban revitalization as specified in Section 404.1.5 of Iowa code.

Property owners were notified and no written correspondence was received by the Community Development Department either in support or against the proposed plan. Concurrent with the adoption of an urban revitalization plan, an ordinance establishing the urban revitalization area can be considered. Upon adoption of the area and approval of an ordinance, the City is permitted to grant tax abatement to qualified projects. If approved, the project as proposed could be eligible for full exemption from taxation for four years.

Staff Recommendation

The Community Development Department recommends approval of the Black Squirrel Flats Urban Revitalization Plan and Area and 1st consideration of the ordinance.

Planning Commission Public Hearing

Staff speakers for the request:

1. Courtney Harter, Director, Community Development, City of Council Bluffs

Speakers in favor: None
Speakers in opposition: None

Planning Commission Recommendation

The Planning Commission recommended approval of the Black Squirrel Flats Urban Revitalization Plan and Area.

Vote: 11-0 (0 absent)
AYE – Bailey, Bass, Halm, Hutcheson, Knauss, Opperman, Rater, Rew, Scott, Stroebele and Van Houten
NAY – None
ABSTAIN – None
ABSENT – None
Motion: Carried

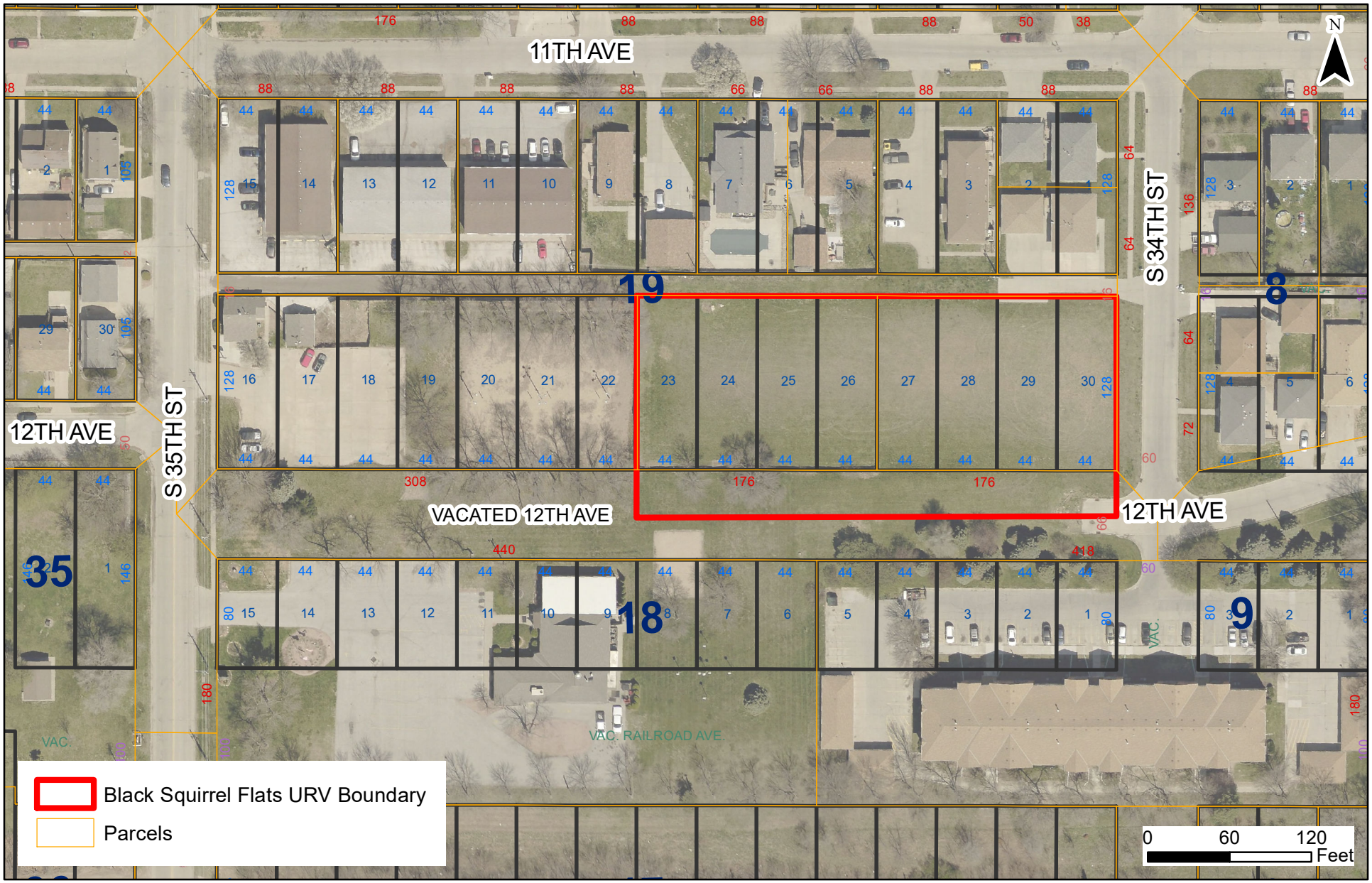
Attachments

A) Boundary Map
B) Black Squirrel Flats Urban Revitalization Plan

Prepared by: Tiffany Schmitt, Community Development Technician, Community Development Department
Approved by: Courtney Harter, Director, Community Development Department

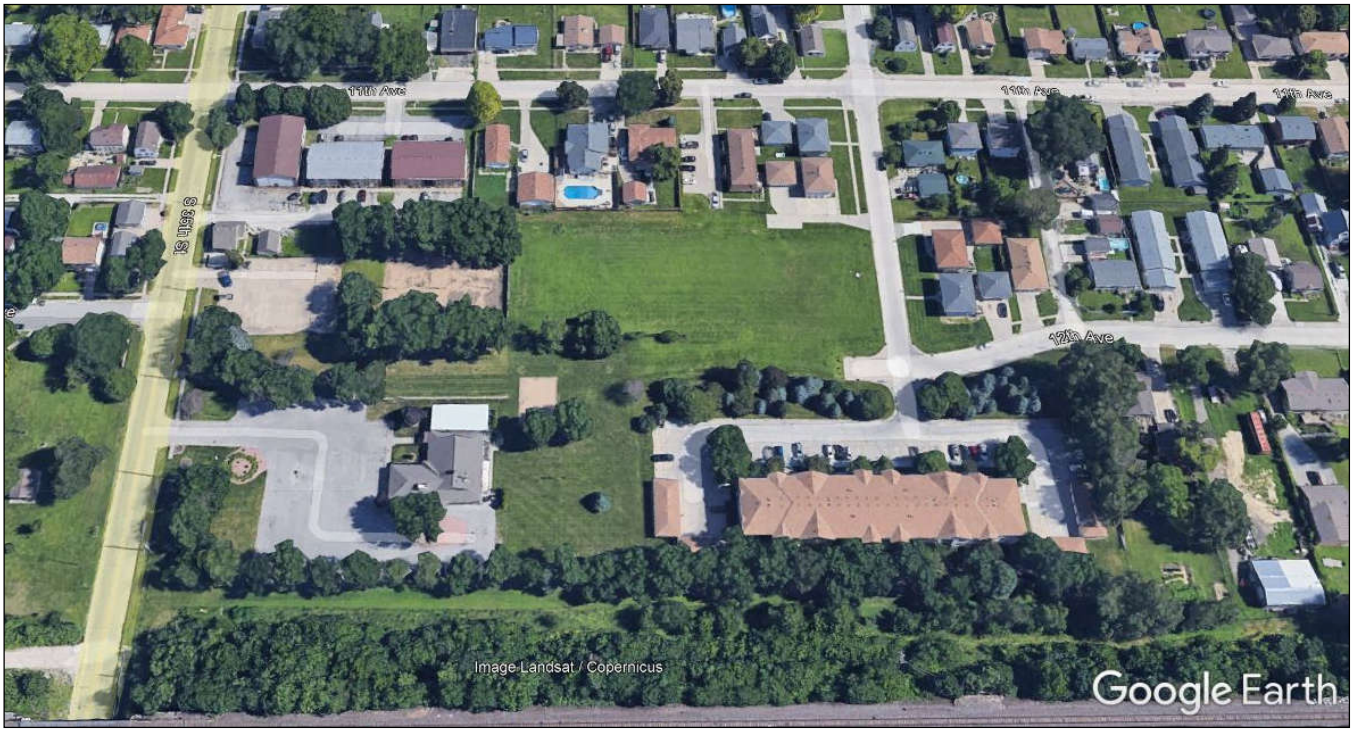
Attachment A

Proposed Black Squirrel Flats Urban Revitalization Area: Boundary Map



Attachment B

Black Squirrel Flats
Urban Revitalization Plan



Prepared by

Community Development Department
City of Council Bluffs, Iowa

Adopted by
City Council on _____, 2022

TABLE OF CONTENTS

SECTION	PAGE
INTRODUCTION	2-3
LEGAL DESCRIPTION OF AREA	4
PROPERTY OWNERS & ASSESSED VALUATIONS	4
EXISTING ZONING & PROPOSED LAND USE	5-7
PROPOSALS FOR IMPROVING OR EXPANDING CITY SERVICES	8
RELOCATION PROVISIONS	8
OTHER PUBLIC ASSISTANCE	8
APPLICABILITY & TAX EXEMPTION SCHEDULE	8-9
APPLICATION & REVIEW PROCESS	10
APPENDIX A: TAX PARCEL INFORMATION [PENDING]	11

INTRODUCTION

The Urban Revitalization Act empowers a municipality to designate an area appropriate for commercial and industrial enterprises, public improvements related to housing and residential development, or construction of housing and residential development for low and moderate income families, including single or multifamily housing.

The City of Council Bluffs wishes to utilize property tax abatement incentives under the Urban Revitalization act to facilitate the renovation or construction of new commercial structures resulting in additional employment in the community. The preparation and subsequent adoption of an Urban Revitalization Plan is required by the Iowa Code prior to the provision of property tax abatement.

Section 404.1 of the Iowa Code stipulates that the Council may, by ordinance, designate an area of the City as the revitalization area, if that area is classified as any of the following:

1. An area in which there is a predominance of buildings or improvements, whether residential or nonresidential, which by reason of dilapidation, deterioration, obsolescence, inadequate provision for ventilation, light, air, sanitation, or open spaces, high density of population and overcrowding, the existence of conditions which endanger life or property by fire and other causes or a combination of such factors, is conductive to ill health, transmission of disease, infant mortality, juvenile delinquency or crime and which is detrimental to the public health, safety or welfare.

2. An area which by reason of the presence of a substantial number of deteriorated or deteriorating structures, predominance of defective or inadequate street layout, incompatible land use relationships, faulty lot layout in relation to size, adequacy, accessibility or usefulness, unsanitary or unsafe conditions, deterioration of site or other improvements, diversity of ownership, tax or special assessment delinquency exceeding the actual value of the land, defective or unusual conditions of title, or the existence of conditions which endanger life or property by fire and other causes, or a combination of such factors, substantially impairs or arrests the sound growth of a municipality, retards the provision of housing accommodations or constitutes an economic or social liability and is a menace to the public health, safety or welfare in its present condition and use.

3. An area in which there is a predominance of buildings or improvements which by reason of age, history, architecture or significance should be preserved or restored to productive use.

4. An area which is appropriate as an economic development area as defined in Section 403.17(10) of the Iowa Code which states “an area of a municipality designated by the local governing body as appropriate for commercial and industrial enterprises, public improvements related to housing and residential development, or construction of housing and residential development for low and moderate income families, including single or multifamily housing.”

5. An area designated as appropriate for public improvements related to housing and residential development, or construction of housing and residential development, including single or multifamily housing.

The City of Council Bluffs concluded that the Black Squirrel Flats Urban Revitalization Area meets the criteria of element 5. Consequently, on October 24, 2022, the City Council adopted Resolution No. 22-261, which directed staff to prepare a plan for the proposed revitalization area. Illustration 1 is the City Council Resolution.

Black Squirrel Flats Urban Revitalization Area
Illustration 1 – Resolution

RESOLUTION NO. 22-261

A RESOLUTION OF NECESSITY AND INTENT TO ESTABLISH THE BLACK SQUIRREL FLATS URBAN REVITALIZATION AREA LEGALLY DESCRIBED AS LOT 1, BLACK SQUIRREL FLATS SUBDIVISION.

WHEREAS, the subject area is an appropriate area as defined in Sections 404.1.5 of the Iowa Code; and

WHEREAS, a proposal has been submitted for the construction of a new multifamily development; and

WHEREAS, a plan for the area must be developed in accordance with Section 404.2 of the Iowa Code; and

WHEREAS, thirty days notice of public hearing is required to be sent to all property owners and occupants within the area; and

WHEREAS, notice of public hearing is also required in accordance with Section 362.3 of the Iowa Code.

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

That the development of the area is necessary in the interest of the City and the area substantially meets the criteria of Section 404.1.5.

BE IT FURTHER RESOLVED

That the City Council directs staff to prepare a final plan pursuant to Section 404.2 of the Iowa Code by no later than October 28, 2022.

BE IT FURTHER RESOLVED

That the City Council directs the City Clerk to set this matter for public hearing on November 28, 2022.

ADOPTED AND APPROVED: October 24, 2022

Matthew J. Walsh — Mayor

ATTEST:

Jodi Quakenbush — City Clerk

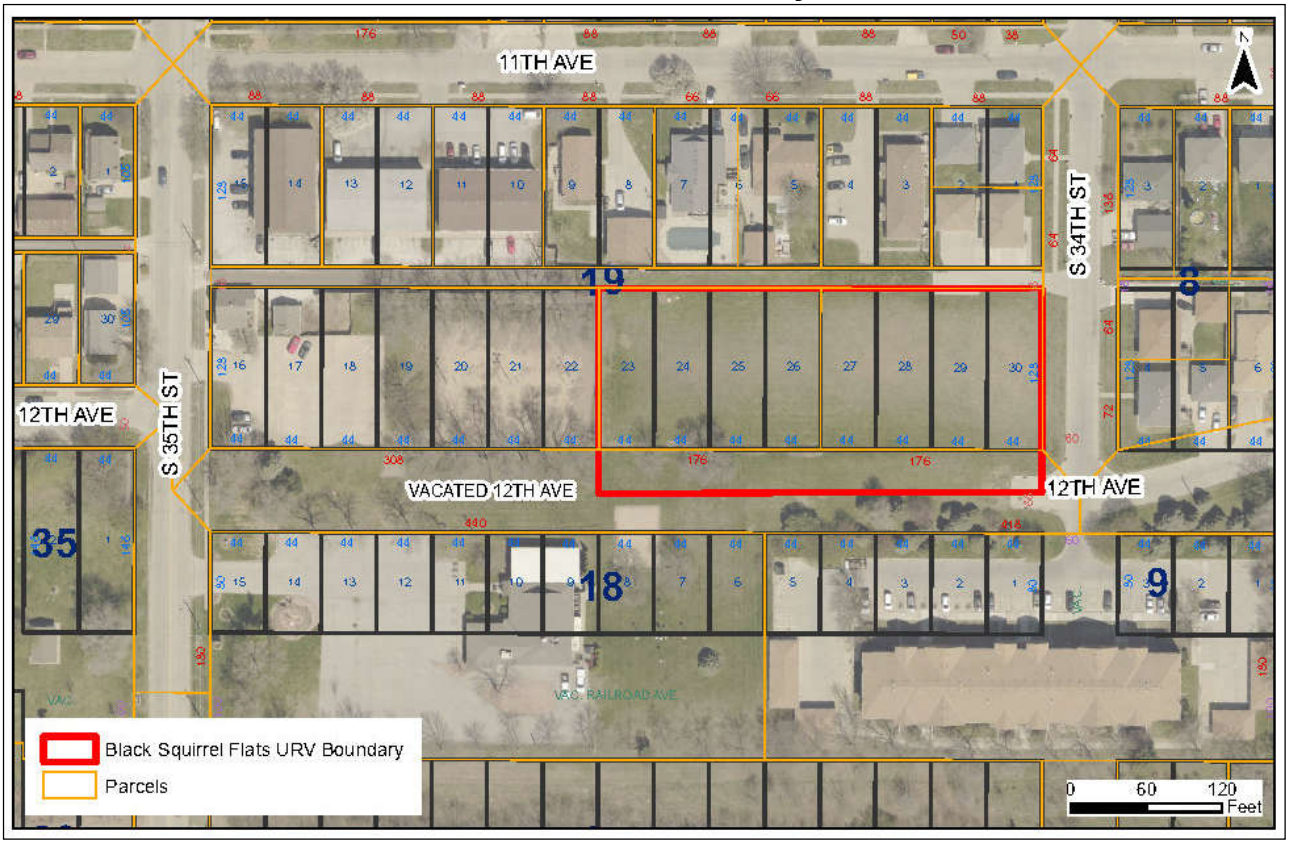
URV-22-009

LEGAL DESCRIPTION

The Black Squirrel Flats Urban Revitalization Area is a tract of land containing one parcel legally described as: Lot 1, Black Squirrel Flats Subdivision.

Illustration 2 shows the location and the boundary of the Black Squirrel Flats Urban Revitalization Area, which is approximately 1.3 acres.

Black Squirrel Flats Urban Revitalization Area
Illustration 2 – Boundary



PROPERTY OWNERS AND ASSESSED VALUATIONS

The Black Squirrel Flats Urban Revitalization Area will be comprised of approximately 1.3 acres on one parcel of land owned by Black Squirrel Investors LLC. A developer intends to construct a residential development called Black Squirrel Flats.

Valuation was obtained from the records of the Pottawattamie County Assessor. [Pending update following recent replat.]

Parcel Number	Zoning	Permanent Property Address	Owner Mailing Address	Land Valuation	Building Valuation	Parcel Total Valuation	Acreage
Pending	R-3/Low Density Multifamily Residential	Black Squirrel Investors LLC	Black Squirrel Investors LLC 1115 S 35th St Council Bluffs, IA 51501	Pending	Pending	Pending	Pending

EXISTING ZONING AND PROPOSED LAND USE

The Black Squirrel Flats Urban Revitalization Area is currently zoned R-3. The R-3/Low Density Multifamily Residential District is intended and designed for lower density multifamily residential areas of the city. This district permits a variety of housing types and is intended for established and developing areas of the city. The proposed principal use of the Black Squirrel Flats Urban Revitalization Area is multifamily residential, which is a permitted use in an R-3/Low Density Multifamily Residential District.

Surrounding properties to the north, northwest, south, and southeast are also zoned R-3. Properties east and northeast of the subject property are zoned R-2/Two-Family Residential District. Properties west and southwest of the subject property are zoned C-2/Commercial District. Illustration 3 depicts the existing on-site and surrounding zoning.

Existing land uses in the general vicinity include: single-family and multifamily residential to the north and east, multifamily residential to the south, a local restaurant to the southwest, and a local commercial tax service business to the west.

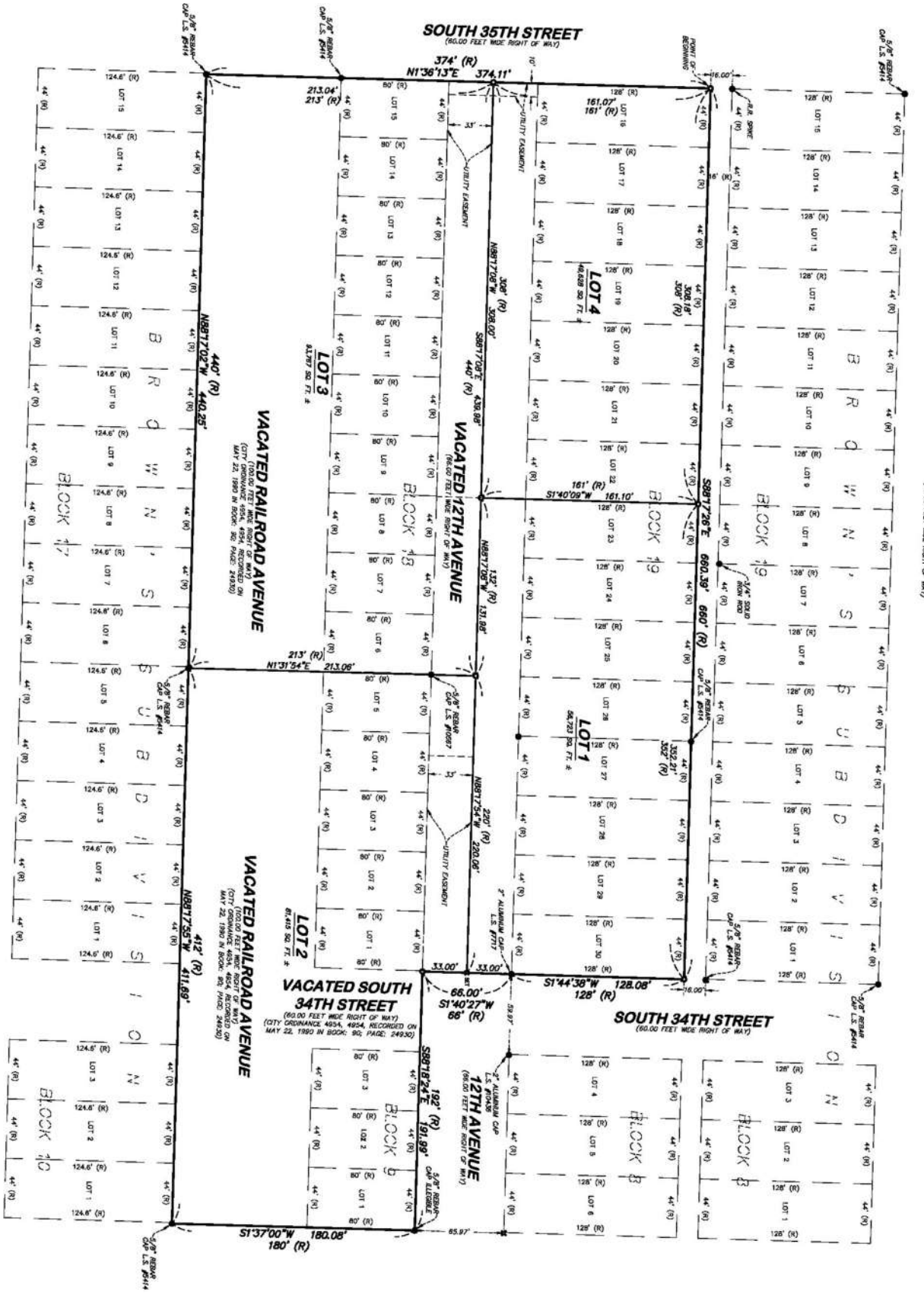
The future land use plan of the Bluffs Tomorrow: 2030 Plan designates the proposed Black Squirrel Flats Urban Revitalization Area as “High-Density Residential.” According to the plan, high-density residential areas in Council Bluffs typically include a series of multi-family structures built as part of the same development. The structures are often arranged around an internal street network or a central courtyard or open space. These developments are often adjacent to neighborhoods, but tend to have their own character.

Final plat approval of a four-lot subdivision known as Black Squirrel Flats Subdivision and which includes the proposed Black Squirrel Flats Urban Revitalization Area was approved by City Council on 8/8/2022. Illustration 4 depicts the approved final plat. The new tax parcel information is pending an update from the Pottawattamie County Assessor and GIS.

Black Squirrel Flats Urban Revitalization Area

Illustration 3 – Zoning

Illustration 4 – Final Plat of Black Squirrel Flats



PROPOSALS FOR IMPROVING OR EXPANDING CITY SERVICES

The proposed Black Squirrel Flats Urban Revitalization Area is currently served with all municipal services (sanitary sewer, water and storm sewer) and can be accessed by a dedicated roadway. Electricity and gas service are also available to the project. The project is located along South 34th St, which is adequate to handle the additional traffic generated by this proposed project.

RELOCATION PROVISIONS

The proposed Black Squirrel Flats Urban Revitalization Area is currently vacant land. There are no tenants at the location; therefore, the City will not displace any residential or non-residential tenants as a result of proposed improvements in the urban revitalization area.

OTHER PUBLIC ASSISTANCE

The developer is requesting property tax exemption. The developer has not requested any additional public assistance.

APPLICABILITY AND TAX EXEMPTION SCHEDULE

1. Eligibility – The Black Squirrel Flats Urban Revitalization Plan will apply to multi-family residential (12 or more units) use.

Both new construction and rehabilitation of existing structures will be eligible for tax abatement under the plan. Rehabilitation may include renovation of a structure to bring it to code standards, remodeling and expansion. New construction of multi-family structures containing 12 or more units or the renovation of existing multi-family properties containing 3 or more units will also be eligible for property tax exemption under the plan.

2. Term - The term of this Plan shall be until December 31, 2042 or amended by City Council.

3. Commercial and Industrial

Ten Year - All eligible commercial and industrial real estate is eligible to receive a partial exemption from taxation on the actual value added by the improvements. The exemption is for a period of ten years. The amount of the partial exemption is equal to a percent of the actual value added by the improvements, determined as follows:

a. For the first year, eighty percent.
b. For the second year, seventy percent.
c. For the third year, sixty percent.
d. For the fourth year, fifty percent.
e. For the fifth year, forty percent.
f. For the sixth year, forty percent.
g. For the seventh year, thirty percent.
h. For the eighth year, thirty percent.

i. For the ninth year, twenty percent.
j. For the tenth year, twenty percent.

-OR-

Three Year - All eligible commercial and industrial real estate is eligible to receive a one hundred percent exemption from taxation on the actual value added by the improvements. The exemption is for a period of three years.

4. Multi-Family New Construction (12 or more units) - All eligible multi-family construction shall be eligible to receive a 100% exemption for a period of four years.

5. Multi-Family Rehabilitation (3 or more units) - All eligible multi-family rehabilitation projects shall be eligible to receive a 100% exemption for a period of ten years.

6. Improvements - Improvements shall include commercial and industrial rehabilitation and additions to existing structures as well as new construction on vacant land or on land with existing structures. Improvements involving multi-family projects shall include new construction of projects resulting in 12 or more units or the rehabilitation of existing multi-family projects containing 3 or more units (assessed as commercial property). In addition, all improvements must result in the following increases in value:

- For non-residential property, improvements must increase the actual value of the structure by at least 15%. If more than one building is located on the property, the 15% increase requirement applies only to the structure or structures upon which the improvements were made.

- For residential property, the improvement must increase the actual value of the structure by at least 10%.

- If no structures were located on the property prior to the improvements, any improvements may qualify.

7. Actual Value - Actual value added by the improvements means the actual value added as of the first year for which the exemption was received. However, if such construction was begun one year prior to the adoption by the City of a Plan of Urban Revitalization pursuant to Chapter 404 of the Iowa Code, the value added by such construction, shall not constitute an increase in value for purposes of qualifying for the exemptions listed in this section.

APPLICATION AND REVIEW PROCESS

Upon completion of all improvements made within the assessment year for which the exemption is first claimed, the owner shall use the following procedure to secure the tax exemption.

1. The applicant requests a conference with the Community Development Department to discuss applicability of the request to established policy and review the application process.

2. The applicant completes the required forms and submits them along with all required data by February 1st to the Community Development Department. As part of the acceptance procedure, the Community Development Department shall review the submission for completeness. If there is a deficiency, the Department shall notify the applicant within seven (7) days.

3. The Department shall review the application according to the following criteria: 1) conformance with the Urban Revitalization Plan; 2) a finding that the site is within a designated area; 3) a finding that the work has been completed within the time required to qualify for abatement in the assessment year; 4) a finding that the application is consistent with Chapter 404 of the Iowa Code; and 5) a finding that the application is consistent with all applicable city codes and ordinances.

4. Upon review of the application, the Community Development Department will prepare a recommendation and schedule the proposal for City Council consideration.

5. By resolution, the City Council will accept the application and improvements as consistent with the intent of this plan and state law.

6. The City Council will then direct the Community Development Department to transmit a copy of the case file to the Assessor's Office by March 1st as required by Chapter 404 of the Iowa Code.

Appendix A

Find Property Res Sales Comm/Ind Sales

7544 33 436 011

--- Permanent Property Address ---	------- Mailing Address -------
BLACK SQUIRREL INVESTORS LLC	BLACK SQUIRREL INVESTORS LLC
	1115 S 35TH ST
	COUNCIL BLUFFS, IA 51501

District: 000 CO BLUFFS CITY/CO BLUFFS

REAL ESTATE TAXES ON TREASURER'S WEBPAGE

Go to: https://www.municipalonlinepayments.com/pottawattamiecoia/tax/search/detail/754433436011

TAX DESCRIPTION*

* Not to be used on legal documents

BROWNS SUB LTS 23 THRU 26 BLK 19 & N1/2 VAC 12TH AVE ADJ

ASSESSED VALUE

* Class is for Assessment purposes only – Not Zoning

		Current Value		
2022	Res. Land	Dwelling	Total	Class
Full Value	$6,100	$0	$6,100	R
Exempt	$0	$0	$0	R
Net Total	$6,100	$0	$6,100	R

		Prior Year Value		
2021	Res. Land	Dwelling	Total	Class
Full Value	$6,100	$0	$6,100	R
Exempt	$0	$0	$0	R
Net Total	$6,100	$0	$6,100	R

EXEMPTIONS/CREDITS APPLIED

OWNERS

* Book/Page LINKS TO RECORDER'S WEBPAGE

1 D BLACK SQUIRREL INVESTORS LLC book/page: 2022/14364 D

SALES HISTORY

Sale Date	Amount	Code	Book/Page	
10/24/2022	4088	D2	2022/14364	multiple parcel sale
05/04/2022	0	D1	2022/06456	multiple parcel sale
05/04/2022	0	D1	2022/12559	multiple parcel sale
12/15/2021	75000	D34	2021/21595	multiple parcel sale
03/13/2020	35000	D34	2020/03102	multiple parcel sale
12/11/2015	55000	D34	2015/16827	multiple parcel sale
03/11/1996	2000	D050	0096/26150	

ASSESSMENT DATA

PDF: 4 MAP: 17

Date Reviewed: 09/22/20 KK

LAND.....22528 sqFt .52 acres

Lot 1:	Frontage	Rear	Side-1	Side-2	Rear-Lot
	128	128	176	176	176

11

Zoom Out Zoom In

600ft x 600ft
Click any parcel to go to its web page
Spring 2022 aerial
See more maps at the County GIS Department.

As of: On Web Get Card

Find Property Res Sales Comm/Ind Sales

Find Property Res Sales Comm/Ind Sales

7544 33 436 012

--- Permanent Property Address ---	------- Mailing Address -------
BLACK SQUIRREL INVESTORS LLC	BLACK SQUIRREL INVESTORS LLC
	1115 S 35TH ST
	COUNCIL BLUFFS, IA 51501

District: 000 CO BLUFFS CITY/CO BLUFFS

========== REAL ESTATE TAXES ON TREASURER'S WEBPAGE ==========

Go to: https://www.municipalonlinepayments.com/pottawattamiecoia/tax/search/detail/754433436012

========== TAX DESCRIPTION* ==========

* Not to be used on legal documents

BROWNS SUB LTS 27 THRU 30 BLK 19 & N1/2 VAC 12TH AVE ADJ

========== ASSESSED VALUE ==========

* Class is for Assessment purposes only – Not Zoning

		Current Value		
2022	Res. Land	Dwelling	Total	Class
Full Value	$40,500	$0	$40,500	R
Exempt	$0	$0	$0	R
Net Total	$40,500	$0	$40,500	R

		Prior Year Value		
2021	Res. Land	Dwelling	Total	Class
Full Value	$40,500	$0	$40,500	R
Exempt	$0	$0	$0	R
Net Total	$40,500	$0	$40,500	R

========== EXEMPTIONS/CREDITS APPLIED ==========

========== OWNERS ==========

* Book/Page LINKS TO RECORDER'S WEBPAGE

1 D BLACK SQUIRREL INVESTORS LLC book/page: 2022/14364 D

========== SALES HISTORY ==========

Sale Date	Amount	Code	Book/Page	
10/24/2022	4088	D2	2022/14364	multiple parcel sale
05/04/2022	0	D1	2022/06456	multiple parcel sale
05/04/2022	0	D1	2022/12559	multiple parcel sale
12/15/2021	75000	D34	2021/21595	multiple parcel sale
03/13/2020	35000	D34	2020/03102	multiple parcel sale
12/11/2015	55000	D34	2015/16827	multiple parcel sale
04/30/1997	30000	D050	0097/42620	multiple parcel sale
08/16/1995	12000	D002	0096/05710	
04/21/1995	0	D006	0095/25941	

========== ASSESSMENT DATA ==========

PDF: 4 MAP: 17

Date Reviewed: 09/22/20 KK

LAND.....22528 sqFt .52 acres

Lot 1: Frontage	Rear	Side-1	Side-2	Rear-Lot
128	128	176	176	

13

Zoom Out Zoom In

600ft x 600ft
Click any parcel to go to its web page
Spring 2022 aerial
See more maps at the County GIS Department.

As of: On Web Get Card

Find Property Res Sales Comm/Ind Sales

14

Prepared by: Community Development Department, 209 Pearl St., Co. Bluffs, IA 51503 - Phone (712) 890-5350
Return to: City Clerk, 209 Pearl Street, Council Buffs, IA 51503 – Phone (712) 890-5263

ORDINANCE NO. 6532

AN ORDINANCE ESTABLISHING THE BLACK SQUIRREL FLATS URBAN REVITALIZATION AREA WITHIN THE CITY OF COUNCIL BLUFFS.

WHEREAS, the City of Council Bluffs has the authority under Chapter 404 of the Code of Iowa to declare an area as an urban revitalization area to be known as the "Black Squirrel Flats Urban Revitalization Area;" and

WHEREAS, the City of Council Bluffs is contemplating exercising said authority by designating an area legally described as Lot 1, Black Squirrel Flats Subdivision as an urban revitalization area, thus allowing tax abatement for qualified projects; and

WHEREAS, this City Council of the City of Council Bluffs, Iowa, finds that the subject area is appropriate as an urban revitalization area as outlined in Section 404.1(5) of the Iowa Code; and

WHEREAS, on October 24, 2022, the City Council passed a Resolution of Necessity and Intent to establish an urban revitalization area for the Black Squirrel Flats Urban Revitalization Area, directing staff to prepare the required revitalization plan and a public hearing was set for November 28, 2022; and

WHEREAS, the Revitalization Plan has been written and packaged, notification sent to all the property owners and tenants affected and published notification has appeared in the daily newspaper; and

WHEREAS, at its November 8, 2022 meeting, the City Planning Commission reviewed the plan for the Black Squirrel Flats Urban Revitalization Area and has forwarded its recommendation to this City Council.

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

SECTION 1. That the urban revitalization plan for the Black Squirrel Flats Urban Revitalization Area, known as the "Black Squirrel Flats Urban Revitalization Plan," attached hereto and made a part hereof, is hereby approved as to form and content.

SECTION 2. That the proposed Black Squirrel Flats Urban Revitalization Area be and the same is hereby approved, pursuant to the proposed plan attached hereto and incorporated herein by this reference.

SECTION 3. EFFECTIVE DATE. That this ordinance shall be in full force and effect from and after its final passage and publication, as by law provided.

ADOPTED
AND
APPROVED December 19, 2022

_____
Matthew J. Walsh Mayor

ATTEST:_____
Jodi Quakenbush, City Clerk

FIRST CONSIDERATION: 11/28/2022
SECOND CONSIDERATION: 12/19/2022
THIRD CONSIDERATION: REQUEST TO WAIVE

Council Communication

Department: Community Development
Case/Project No.: URV-22-008
Submitted by: Housing & Economic Development

Ordinance 6533
ITEM 5.B.

Council Action: 11/28/2022

Description

Ordinance establishing the Whispering Oaks Urban Revitalization Area. Location: the intersection of Greenview Road and Franklin Avenue. URV-22-008

Background/Discussion

See attached staff report.

Recommendation

ATTACHMENTS:

Description	Type	Upload Date
Staff Report	Staff Report	11/18/2022
Attachment A – Legal Description	Legal Description	11/18/2022
Attachment B – Boundary Map	Map	11/18/2022
Attachment C - Whispering Oaks Urban Revitalization Plan	Other	11/18/2022
Ordinance 6533	Ordinance	11/22/2022

Council Communication

Department: Community Development Case No.: URV-22-008 Submitted by: Housing & Economic Development	Ordinance No.:	Resolution of Intent: 10/24/2022 Planning Commission: 11/08/2022 Public Hearing & First Reading: 11/28/2022 Second Reading: 12/19/2022 Third Reading: Request to Waive

Subject/Title

Establishment of the Whispering Oaks Urban Revitalization Area at the intersection of Greenview Road and Franklin Avenue.

Background/Discussion

Background

Chapter 404 of the Iowa Code authorizes a City to designate an area as an urban revitalization area. Improvements to qualified real estate within designated areas may then be eligible to receive a total or partial exemption from property taxes for a specified number of years. The exemptions are intended to stimulate private investment by reducing the tax increase that would normally result from making improvements to real estate property.

Urban revitalization tax abatement incentives can apply to residential, commercial and industrial development. Both new construction on vacant or unimproved land and rehabilitation of existing structures are eligible for tax abatement.

The Community Development Department wishes to create an Urban Revitalization Area consisting of three parcels creating the Whispering Oaks Urban Revitalization Area located at the intersection of Greenview Road and Franklin Avenue.

Staff has prepared an Urban Revitalization Plan in accordance with Section 404.2 of the Iowa Code and has scheduled the matter for City Council consideration. The Whispering Oaks Urban Revitalization Area will consist of approximately 28.07 acres.

Discussion

Iowa Code permits the City to establish urban revitalization areas which satisfy one of the five conditions outlined in Section 404.1. Staff believes this project meets the criteria under 404.1.5. Section 404.1.5 discusses an area designated as appropriate for public improvements related to housing and residential development, or construction of housing and residential development, including single or multifamily housing.

On October 24, 2022, City Council approved Resolution 22-260, which directed staff to initiate the process of creating the Whispering Oaks Urban Revitalization Plan and Area. This resolution set November 28, 2022 as the date of the public hearing.

This matter was brought before the City Planning Commission at their November 8, 2022 meeting. The Commission found the following: 1) That the proposed Whispering Oaks Urban Revitalization Plan furthers the goals of the City's *Bluffs Tomorrow: 2030 Plan*, which is the general plan for the development of the City of Council Bluffs; and 2) That the Whispering Oaks Urban Revitalization Area is an area appropriate for urban revitalization as specified in Section

404.1.4.

Property owners were notified and no written correspondence was received by the Community Development Department either in support or against the proposed plan. Concurrent with the adoption of an urban revitalization plan, an ordinance establishing the urban revitalization area can be considered. Upon adoption of the area and approval of an ordinance, the City is permitted to grant tax abatement to qualified projects.

Staff Recommendation

The Community Development Department recommends approval of the Whispering Oaks Urban Revitalization Plan and Area and 1st consideration of the ordinance.

Planning Commission Recommendation

Staff speakers for the request:

1. Courtney Harter, Director Planning & Community Development, City of Council Bluffs

Speakers in favor: None
Speakers in opposition: None

Planning Commission Recommendation

The Planning Commission recommended approval of the Whispering Oaks Urban Revitalization Plan and Area.

Vote: 10-0-1
AYE – Bailey, Bass, Halm, Hutcheson, Knauss, Opperman, Rater, Rew, Scott and Stroebele
NAY – None
ABSTAIN – Van Houten
ABSENT – None
Motion: Carried

Attachments

Attachment A – Legal Description
Attachment B – Boundary Map
Attachment C - Whispering Oaks Urban Revitalization Plan

Prepared by: Marianne Collins, Community Development Housing & Economic Development Planner, Community Development Department
Submitted by: Courtney Harter, Director Planning & Community Development, Community Development Department

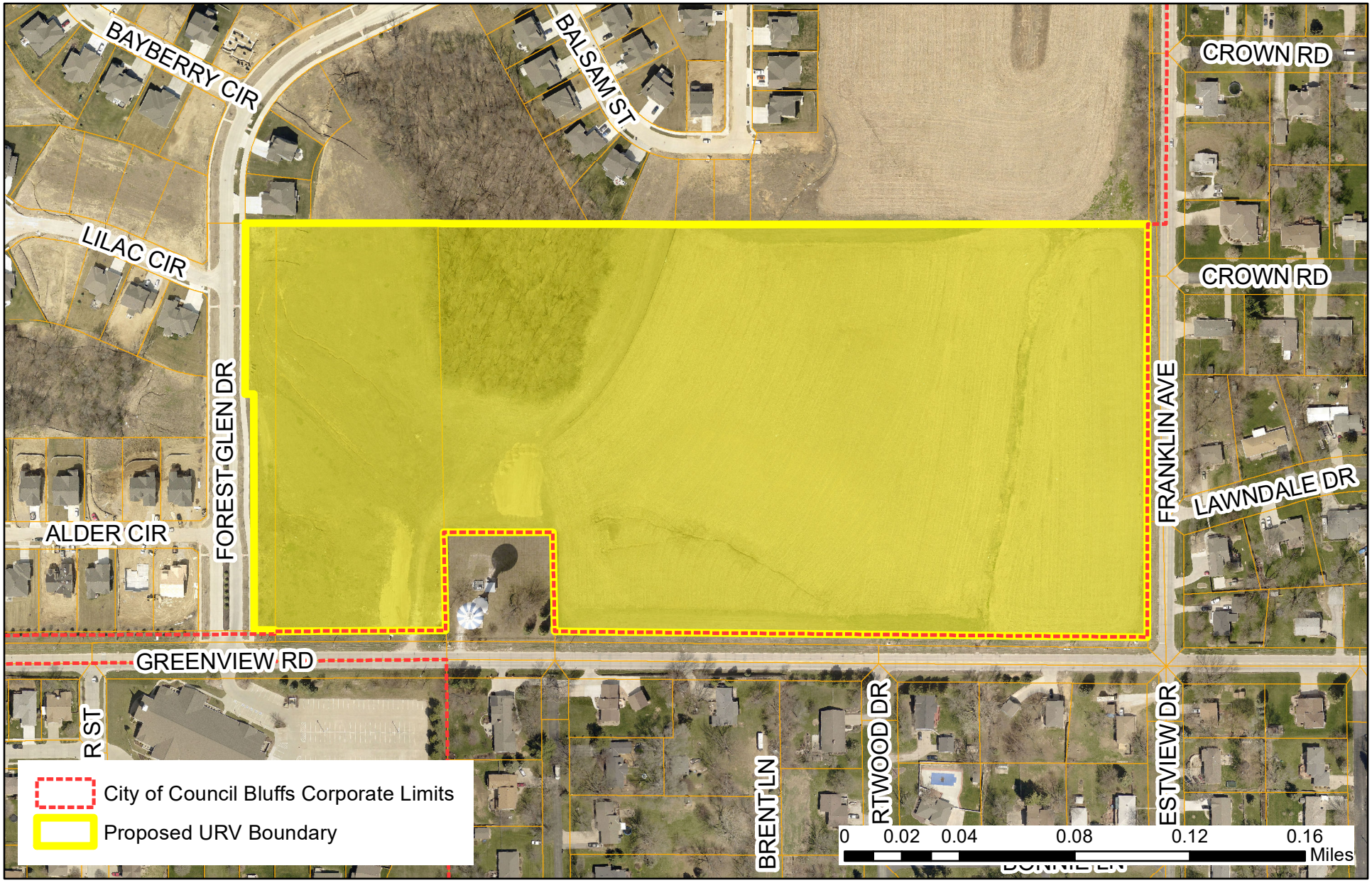
Attachment A – Legal Description

A PART OF THE SW 1/4 OF THE NW 1/4 OF SECTION 4, TOWNSHIP 74 NORTH, RANGE 43 WEST OF THE 5TH PRINCIPAL MERIDIAN, AND ALSO TOGETHER WITH PART OF THE SE 1/4 OF THE NE 1/4 OF SECTION 5, SAID TOWNSHIP 74 NORTH, RANGE 43 WEST OF THE 5TH PRINCIPAL MERIDIAN; ALL LOCATED IN POTTAWATTAMIE COUNTY, COUNCIL BLUFFS, IOWA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE EAST 1/4 CORNER OF SECTION 5, TOWNSHIP 74N, RANGE 43 WEST; THENCE N1°06'10”E (ASSUMED BEARING), 53.00 FEET TO THE POINT OF BEGINNING; THENCE N88°28'13"W A DISTANCE OF 351.12 FEET TO A POINT ON THE EAST RIGHT-OF-WAY LINE OF FOREST GLEN DRIVE; THENCE NORTHERLY ALONG SAID EAST RIGHT-OF-WAY LINE OF FOREST GLEN DRIVE ON THE FOLLOWING DESCRIBED COURSES: THENCE N1°20'57"E, A DISTANCE OF 433.34 FEET; THENCE N88°16'18"W, A DISTANCE OF 15.99 FEET; THENCE N1°31'50"E, A DISTANCE OF 313.54 FEET TO THE SOUTHWEST CORNER OF LOT 106, WHISPERING OAKS; THENCE S88°34'04"E, A DISTANCE OF 56.87 FEET ALONG THE SOUTH LINE OF LOT 106, WHISPERING OAKS TO THE NORTHWEST CORNER OF A TRACT OF LAND DESCRIBED IN BOOK 2017 PAGE 2889; THENCE S88°28'13"E, A DISTANCE OF 306.04 FEET ALONG THE SOUTH LINE OF LOT 106 & SOUTH LINE OF OUTLOT A, WHISPERING OAKS TO A POINT AT THE INTERSECTION OF THE SOUTH LINE OF OUTLOT A & THE EAST LINE OF A TRACT OF LAND DESCRIBED IN BOOK 2017 PAGE 2889; THENCE S88°15'01"E, A DISTANCE OF 562.24 FEET ALONG THE SOUTH LINE OF OUTLOT A, & LOTS 87-90 WHISPERING OAKS TO THE SOUTHEAST CORNER OF LOT 87 WHISPERING OAKS; THENCE S88°15'01”E, A DISTANCE OF 714.76 FEET; THENCE S88°15'01"E, A DISTANCE OF 17.46, TO THE WEST RIGHT OF WAY LINE OF FRANKLIN AVENUE; THENCE S1°43'39"W, A DISTANCE OF 747.00 FEET ALONG SAID WEST RIGHT-OF-WAY LINE OF FRANKLIN AVENUE; THENCE N88°15'01"W DISTANCE OF 1,086.30 FEET TO THE EAST LINE OF A PARCEL BOOK 87, PAGE 22729; THENCE N01°06'10"E ALONG SAID EAST LINE OF SAID PARCEL BOOK 87, PAGE 22729, A DISTANCE OF 180.01 FEET TO THE NORTHEAST CORNER OF SAID PARCEL BOOK 87, PAGE 22729; THENCE N88°15'01"W ALONG THE NORTH LINE OF SAID PARCEL, B00K 87, PAGE 22729 A DISTANCE OF 200.00 FEET; THENCE S1°06'10"W ALONG SAID PARCEL BOOK 87, PAGE 22729, A DISTANCE OF 180.01 FEET TO THE POINT OF BEGINNING. SAID TRACT OF LAND CONTAINS 1,193,878.13 SQ.FT. OR 27.40 ACRES MORE OR LESS

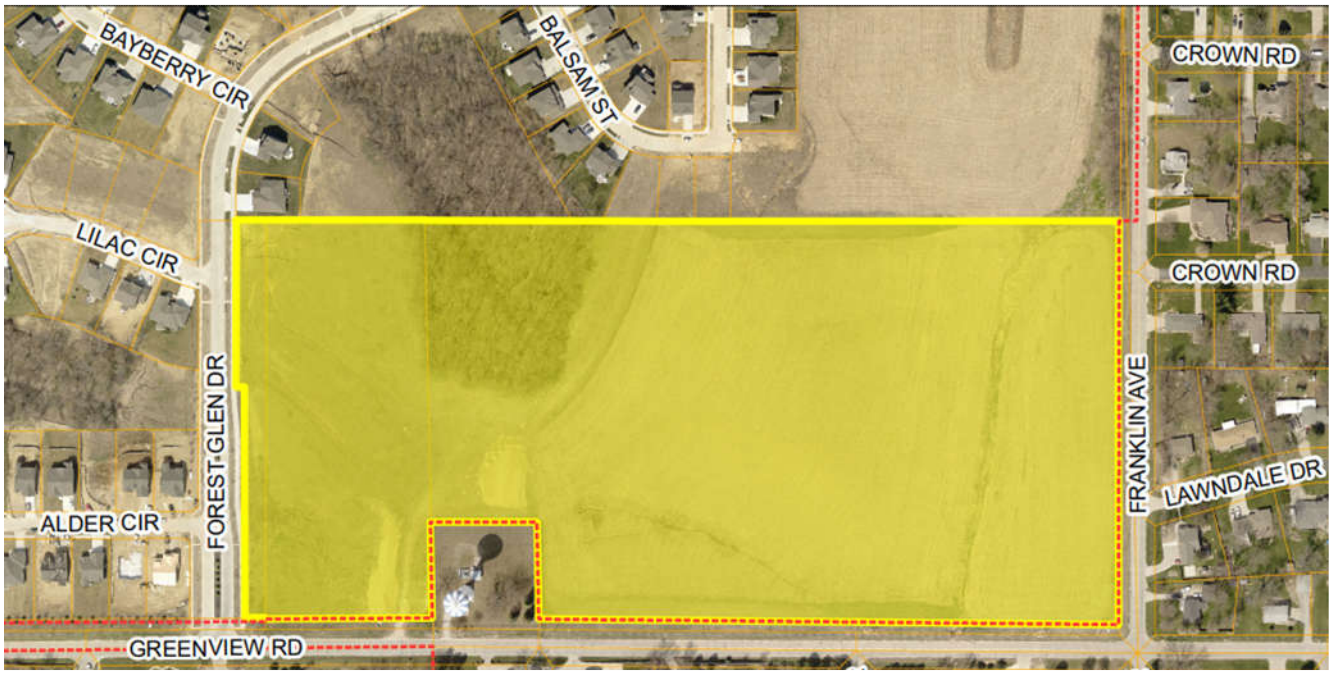
Attachment B

Proposed Whispering Oaks Urban Revitalization Area: Boundary Map



Attachment C

Whispering Oaks
Urban Revitalization Plan



Prepared by

Community Development Department
City of Council Bluffs, Iowa

Adopted by
City Council on _____, 2022

TABLE OF CONTENTS

SECTION	PAGE
INTRODUCTION	2
LEGAL DESCRIPTION OF AREA	5
PROPERTY OWNERS & ASSESSED VALUATIONS	6
EXISTING ZONING & PROPOSED LAND USE	7
PROPOSALS FOR IMPROVING OR EXPANDING CITY SERVICES	8
RELOCATION PROVISIONS	8
OTHER PUBLIC ASSISTANCE	8
APPLICABILITY & TAX EXEMPTION SCHEDULE	8
APPLICATION AND REVIEW PROCESS	10
APPENDIX A: CONCEPTUAL SITE PLAN & ARCHITECTURAL RENDERINGS	11

INTRODUCTION

The Urban Revitalization Act empowers a municipality to designate an area appropriate for commercial and industrial enterprises, public improvements related to housing and residential development, or construction of housing and residential development for low and moderate-income families, including single or multi-family housing.

The City of Council Bluffs wishes to utilize property tax abatement incentives under the Urban Revitalization Act to facilitate the construction of a multi-family residential project in the community. The preparation and subsequent adoption of an Urban Revitalization Plan is required by the Iowa Code prior to the provision of property tax abatement.

Section 404.1 of the Iowa Code stipulates that the Council may, by ordinance, designate an area of the City as the revitalization area, if that area is classified as any of the following:

1. An area in which there is a predominance of buildings or improvements, whether residential or nonresidential, which by reason of dilapidation, deterioration, obsolescence, inadequate provision for ventilation, light, air, sanitation, or open spaces, high density of population and overcrowding, the existence of conditions which endanger life or property by fire and other causes or a combination of such factors, is conductive to ill health, transmission of disease, infant mortality, juvenile delinquency or crime and which is detrimental to the public health, safety or welfare.

2. An area which by reason of the presence of a substantial number of deteriorated or deteriorating structures, predominance of defective or inadequate street layout, incompatible land use relationships, faulty lot layout in relation to size, adequacy, accessibility or usefulness, unsanitary or unsafe conditions, deterioration of site or other improvements, diversity of ownership, tax or special assessment delinquency exceeding the actual value of the land, defective or unusual conditions of title, or the existence of conditions which endanger life or property by fire and other causes, or a combination of such factors, substantially impairs or arrests the sound growth of a municipality, retards the provision of housing accommodations or constitutes an economic or social liability and is a menace to the public health, safety or welfare in its present condition and use.

3. An area in which there is a predominance of buildings or improvements which by reason of age, history, architecture or significance should be preserved or restored to productive use.

4. An area which is appropriate as an economic development area as defined in Section 403.17(10) of the Iowa Code which states “an area of a municipality designated by the local governing body as appropriate for commercial and industrial enterprises, public improvements related to housing and residential development, or construction of housing and residential development for low and moderate income families, including single or multi-family housing.”

5. An area designated as appropriate for public improvements related to housing and residential development, or construction of housing and residential development, including single or multi-family housing.

The City of Council Bluffs concluded that the Whispering Oaks Urban Revitalization Area meets the criteria of element 5. Consequently, October 24, 2022, the City Council adopted Resolution No. 22-260, which directed staff to prepare a plan for the proposed revitalization area. Illustration 1 is the City Council Resolution.

Illustration 1 – Resolution

RESOLUTION NO. 22-260

A RESOLUTION OF NECESSITY AND INTENT TO ESTABLISH THE WHISPERING OAKS URBAN REVITALIZATION AREA IN THE CITY OF COUNCIL BLUFFS, POTTAWATTAMIE COUNTY, IOWA.

WHEREAS, the subject area is an appropriate area as defined in Section 404.1.5 of the Iowa Code; and

WHEREAS, a proposal has been submitted for the construction of a multi-family residential project on the vacant land; and

WHEREAS, a plan for the area must be developed in accordance with Section 404.2 of the Iowa Code; and

WHEREAS, thirty days notice of public hearing is required to be sent to all property owners and occupants within the area; and

WHEREAS, notice of public hearing is also required in accordance with Section 362.3 of the Iowa Code.

WHEREAS, a legal description of this area is attached as Exhibit A.

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

That the development of the area is necessary in the interest of the City and the area substantially meets the criteria of Section 404.1.5.

BE IT FURTHER RESOLVED

That the City Council directs staff to prepare a final plan pursuant to Section 404.2 of the Iowa Code by October 28, 2022.

BE IT FURTHER RESOLVED

That the City Council directs the City Clerk to set this matter for public hearing on November 28, 2022.

ADOPTED AND APPROVED: October 24, 2022

Matthew J. Walsh Mayor

ATTEST:

Jodi Quakenbush City Clerk

LEGAL DESCRIPTION

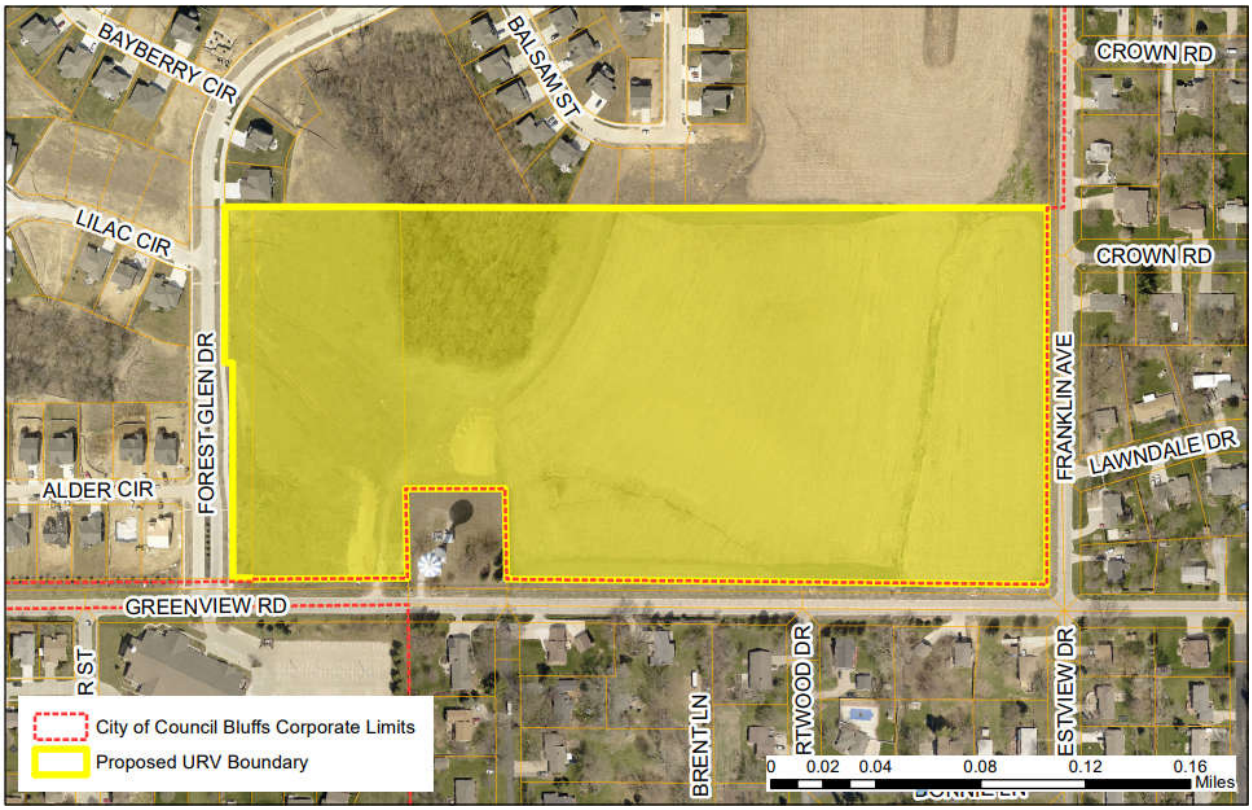
The Whispering Oaks Urban Revitalization Area is a tract of land consisting of three parcels legally described as:

A PART OF THE SW 1/4 OF THE NW 1/4 OF SECTION 4, TOWNSHIP 74 NORTH, RANGE 43 WEST OF THE 5TH PRINCIPAL MERIDIAN, AND ALSO TOGETHER WITH PART OF THE SE 1/4 OF THE NE 1/4 OF SECTION 5, SAID TOWNSHIP 74 NORTH, RANGE 43 WEST OF THE 5TH PRINCIPAL MERIDIAN; ALL LOCATED IN POTTAWATTAMIE COUNTY, COUNCIL BLUFFS, IOWA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:
COMMENCING AT THE EAST 1/4 CORNER OF SECTION 5, TOWNSHIP 74N, RANGE 43 WEST; THENCE N1°06'10”E (ASSUMED BEARING), 53.00 FEET TO THE POINT OF BEGINNING; THENCE N88°28'13"W A DISTANCE OF 351.12 FEET TO A POINT ON THE EAST RIGHT-OF-WAY LINE OF FOREST GLEN DRIVE; THENCE NORTHERLY ALONG SAID EAST RIGHT-OF-WAY LINE OF FOREST GLEN DRIVE ON THE FOLLOWING DESCRIBED COURSES: THENCE N1°20'57"E, A DISTANCE OF 433.34 FEET; THENCE N88°16'18"W, A DISTANCE OF 15.99 FEET; THENCE N1°31'50"E, A DISTANCE OF 313.54 FEET TO THE SOUTHWEST CORNER OF LOT 106, WHISPERING OAKS; THENCE S88°34'04"E, A DISTANCE OF 56.87 FEET ALONG THE SOUTH LINE OF LOT 106, WHISPERING OAKS TO THE NORTHWEST CORNER OF A TRACT OF LAND DESCRIBED IN BOOK 2017 PAGE 2889; THENCE S88°28'13"E, A DISTANCE OF 306.04 FEET ALONG THE SOUTH LINE OF LOT 106 & SOUTH LINE OF OUTLOT A, WHISPERING OAKS TO A POINT AT THE INTERSECTION OF THE SOUTH LINE OF OUTLOT A & THE EAST LINE OF A TRACT OF LAND DESCRIBED IN BOOK 2017 PAGE 2889; THENCE S88°15'01"E, A DISTANCE OF 562.24 FEET ALONG THE SOUTH LINE OF OUTLOT A, & LOTS 87-90 WHISPERING OAKS TO THE SOUTHEAST CORNER OF LOT 87 WHISPERING OAKS; THENCE S88°15'01”E, A DISTANCE OF 714.76 FEET; THENCE S88°15'01"E, A DISTANCE OF 17.46, TO THE WEST RIGHT OF WAY LINE OF FRANKLIN AVENUE; THENCE S1°43'39"W, A DISTANCE OF 747.00 FEET ALONG SAID WEST RIGHT-OF-WAY LINE OF FRANKLIN AVENUE; THENCE N88°15'01"W DISTANCE OF 1,086.30 FEET TO THE EAST LINE OF A PARCEL BOOK 87, PAGE 22729; THENCE N01°06'10"E ALONG SAID EAST LINE OF SAID PARCEL BOOK 87, PAGE 22729, A DISTANCE OF 180.01 FEET TO THE NORTHEAST CORNER OF SAID PARCEL BOOK 87, PAGE 22729; THENCE N88°15'01"W ALONG THE NORTH LINE OF SAID PARCEL, B00K 87, PAGE 22729 A DISTANCE OF 200.00 FEET; THENCE S1°06'10"W ALONG SAID PARCEL BOOK 87, PAGE 22729, A DISTANCE OF 180.01 FEET TO THE POINT OF BEGINNING. SAID TRACT OF LAND CONTAINS 1,193,878.13 SQ.FT. OR 27.40 ACRES MORE OR LESS

Illustration 2 shows the approximate location and the boundary of the Whispering Oaks Urban Revitalization Area. The area is 27.40 acres.

Whispering Oaks Urban Revitalization Plan

Illustration 2 - Boundary



PROPERTY OWNERS AND ASSESSED VALUES

The Whispering Oaks Urban Revitalization Area will be comprised of 27.40 acres of land which is currently owned by TS Development LLC. The Whispering Oaks Urban Revitalization area will be located on what is currently a 27.40 acre parcel that is currently being subdivided into a three-lot subdivision. The assessed land value is $303,300.

Parcel Number	Owner & Address	Land Valuation	Dwelling Valuation	Building Valuation	Total Valuation
744305276010	T S Development LLC	$25,000	$0	$0	$25,000
744305276005	T S Development LLC	$54,400	$0	$0	$54,400
744304151003	T S Development LLC	$223,900	$0	$0	$223,900

EXISTING ZONING AND PROPOSED LAND USE

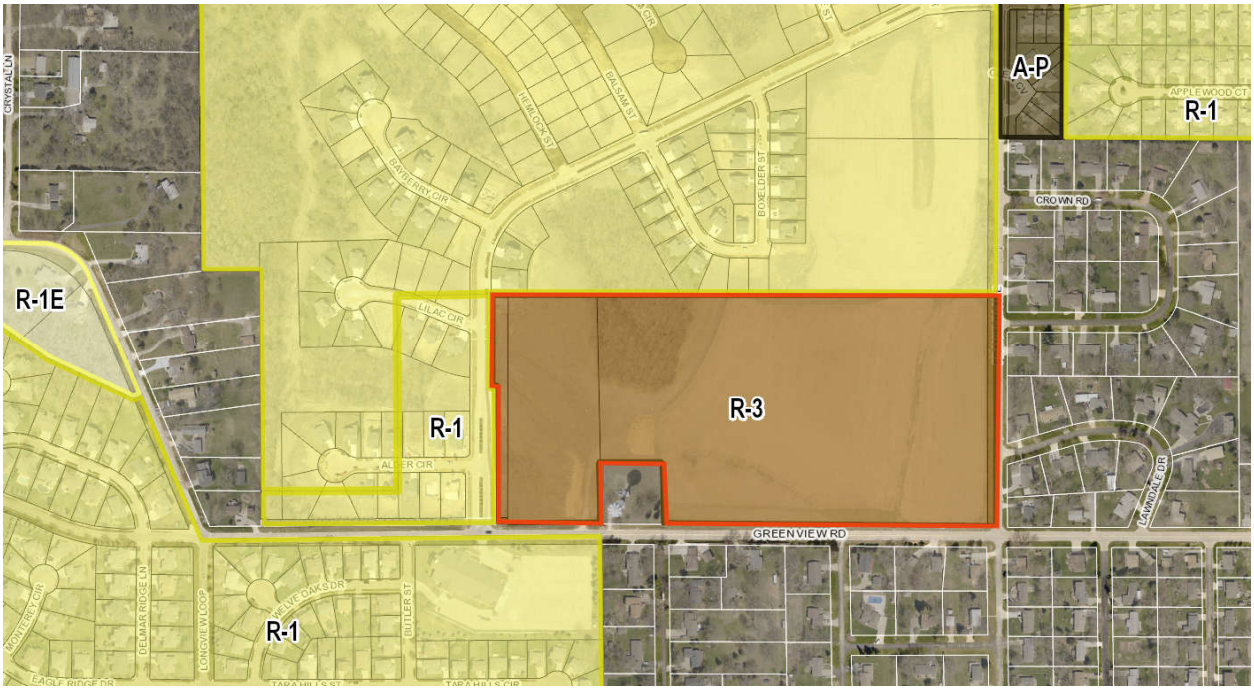
The Whispering Oaks Urban Revitalization Area is zoned R-3/Low Density Multi-Family Residential with a Planned Residential Overlay. The R-3/Low Density Multi-Family District is intended and designed for development of medium density multi-family residential units. The Planned Residential Overlay is intended to provide flexibility in the use and design of structures and land in situations where conventional development may be inappropriate. The Overlay also permits projects that involve the mixture of commercial and residential uses.

Adjacent zoning of Whispering Oaks to the north, south and west, within City limits, are zoned R-1 single family. To the east and south, outside City limits, are zoned R-3 urban residential.

A development proposal has been submitted by T S Development LLC for the construction of a multi-family/mixed-use residential project. Lot 1, approximately 6.11 acres, will be developed as an assisted living facility with a maximum of 133 dwelling units. Lot 2, approximately 12.41 acres, will be developed into a maximum of 150 multifamily units. Lot 3, approximately 7.87 acres, will be developed into a maximum of 124 multifamily units.

The Development Plan can be found in Attachment A.

Whispering Oaks Urban Revitalization Plan
Illustration 3 – Zoning



PROPOSALS FOR IMPROVING OR EXPANDING CITY SERVICES

The proposed Whispering Oaks Urban Revitalization Area will be served with all municipal services (sanitary sewer, water and storm sewer) and can be accessed by a dedicated roadway. Electricity and gas service are also available to the project. The developer is constructing a new sanitary sewer lift station and force main to service the multifamily/missed-use development. A new sanitary force main system will connect into the existing sanitary sewer in Balsam Street. A 10-foot wide Portland cement concrete trail along Greenview Road shall be incorporated in the design of the subdivision. This trail will eventually be extended further east, where it will connect into the existing trail at Greenview Road/Eastern Hills Drive intersection. A pedestrian sidewalk network shall be provided that connects all buildings in the development to the Greenview Road trail and sidewalks along Sycamore Street and Franklin Avenue. The project is located adjacent to Greenview Road and Franklin Avenue, which will adequately handle the additional traffic generated by this proposed project.

RELOCATION PROVISIONS

The Whispering Oaks Urban Revitalization Area is currently undeveloped; therefore, the City will not displace any residential or non-residential tenants as a result of proposed improvements in the urban revitalization area.

OTHER PUBLIC ASSISTANCE

The developer may be eligible for additional City assistance through construction of the required lift station. Cost is still to be determined.

APPLICABILITY AND TAX EXEMPTION SCHEDULE

1. Eligibility - The Whispering Oaks Urban Revitalization Plan will apply to commercial and multi-family residential (12 or more units).

Both new construction and rehabilitation of existing structures will be eligible for tax abatement under the plan. Rehabilitation may include renovation of a structure to bring it to code standards, remodeling and expansion. New construction of multi-family structures containing 12 or more units or the renovation of existing multi-family properties containing 3 or more units will also be eligible for property tax exemption under the plan.

2. Term - The term of this Plan shall be until December 31, 2042 or amended by City Council.

3. Commercial and Industrial

Ten Year - All eligible commercial and industrial real estate is eligible to receive a partial exemption from taxation on the actual value added by the improvements. The exemption is for a period of ten years. The amount of the partial exemption is equal to a percent of the actual value added by the improvements, determined as follows:

a. For the first year, eighty percent.
b. For the second year, seventy percent.
c. For the third year, sixty percent.
d. For the fourth year, fifty percent.
e. For the fifth year, forty percent.
f. For the sixth year, forty percent.
g. For the seventh year, thirty percent.
h. For the eighth year, thirty percent.
i. For the ninth year, twenty percent.
j. For the tenth year, twenty percent.

-OR-

Three Year - All eligible commercial and industrial real estate is eligible to receive a one hundred percent exemption from taxation on the actual value added by the improvements. The exemption is for a period of three years.

4. Multi-Family New Construction (12 or more units) - All eligible multi-family construction shall be eligible to receive a 100% exemption for a period of four years.

5. Multi-Family Rehabilitation (3 or more units) - All eligible multi-family rehabilitation projects shall be eligible to receive a 100% exemption for a period of ten years.

6. Improvements - Improvements shall include commercial and industrial rehabilitation and additions to existing structures as well as new construction on vacant land or on land with existing structures. Improvements involving multi-family projects shall include new construction of projects resulting in 12 or more units or the rehabilitation of existing multi-family projects containing 3 or more units (assessed as commercial property). In addition, all improvements must result in the following increases in value:

- For non-residential property, improvements must increase the actual value of the structure by at least 15%. If more than one building is located on the property, the 15% increase requirement applies only to the structure or structures upon which the improvements were made.

- For residential property, the improvement must increase the actual value of the structure by at least 10%.

- If no structures were located on the property prior to the improvements, any improvements may qualify.

7. Actual Value - Actual value added by the improvements means the actual value added as of the first year for which the exemption was received. However, if such construction was begun one year prior to the adoption by the City of a Plan of Urban Revitalization pursuant to Chapter 404 of the Iowa Code, the value added by such construction, shall not constitute an increase in value for purposes of qualifying for the exemptions listed in this section.

APPLICATION AND REVIEW PROCESS

Upon completion of all improvements made within the assessment year for which the exemption is first claimed, the owner shall use the following procedure to secure the tax exemption.

1. The applicant requests a conference with the Community Development Department to discuss applicability of the request to established policy and review the application process.

2. The applicant completes the required forms and submits them along with all required data by February 1st to the Community Development Department. As part of the acceptance procedure, the Community Development Department shall review the submission for completeness. If there is a deficiency, the Department shall notify the applicant within seven (7) days.

3. The Department shall review the application according to the following criteria: 1) conformance with the Urban Revitalization Plan; 2) a finding that the site is within a designated area; 3) a finding that the work has been completed within the time required to qualify for abatement in the assessment year; 4) a finding that the application is consistent with Chapter 404 of the Iowa Code; and 5) a finding that the application is consistent with all applicable city codes and ordinances.

4. Upon review of the application, the Community Development Department will prepare a recommendation and schedule the proposal for City Council consideration.

5. By resolution, the City Council will accept the application and improvements as consistent with the intent of this plan and state law.

6. The City Council will then direct the Community Development Department to transmit a copy of the case file to the Assessor's Office by March 1st as required by Chapter 404 of the Iowa Code.

Appendix A

UNITS:
(6) 9-PLEX = 54 UNITS
(3) 32-PLEX = 96 UNITS
TOTAL = 150 UNITS

PARKING:
(3) DETACHED GARAGES = 30
ATTACHED GARAGES = 78
TANDEM STALLS = 78
SURFACE STALLS = 102 (6 HC)
CLUBHOUSE = 15 (2 HC)
TOTAL PARKING SHOWN: 288 (1:1.92)
1 CLUBHOUSE W/ POOL
DUMPSTER LOCATIONS 5

UNITS:
(2) 17-PLEX = 34 UNITS
(2) 17-PLEXB = 34 UNITS
(2) 22-PLEX = 44 UNITS
(2) 6-PLEX = 6 UNITS
TOTAL = 118 UNITS
PARKING:
ATTACHED GARAGES = 48
TANDEM STALLS = 48
SURFACE STALLS = 128
TOTAL RESIDENTIAL PARKING SHOWN: 224 (1:1.89)
DUMPSTER LOCATIONS 3

COMMERCIAL/RETAIL: 12,000 SF

PARKING:
TOTAL COMMERCIAL PARKING SHOWN: 62 (4 HC)

studio 951
SHIVE-HATTERY

63.12' 242.91' 266.82' 156.74' 138.69' 80.35' 80.35' 82.00' 75.00' 80.79' 266.28' 17.46'

21.68 ACRES
263 UNITS=
12.13 UNITS/ACRE

FUTURE
ASSISTED
LIVING
6.24 ACRES

WATER
TOWER

RETENTION AREA

9-PLEX

32-PLEX 3 STORY W/ WALKOUT

10-STALL

2-STORY CLUBHOUSE 2700SF

POOL

DOG RUN

17-PLEX 2-STORY

22-PLEX 2-STORY W/ WALKOUT

17-PLEXB 2-STORY W/ WALKOUT

PLAZA

COMMERCIAL 6,000SF w/ 6 UNITS ON 2ND FLOOR

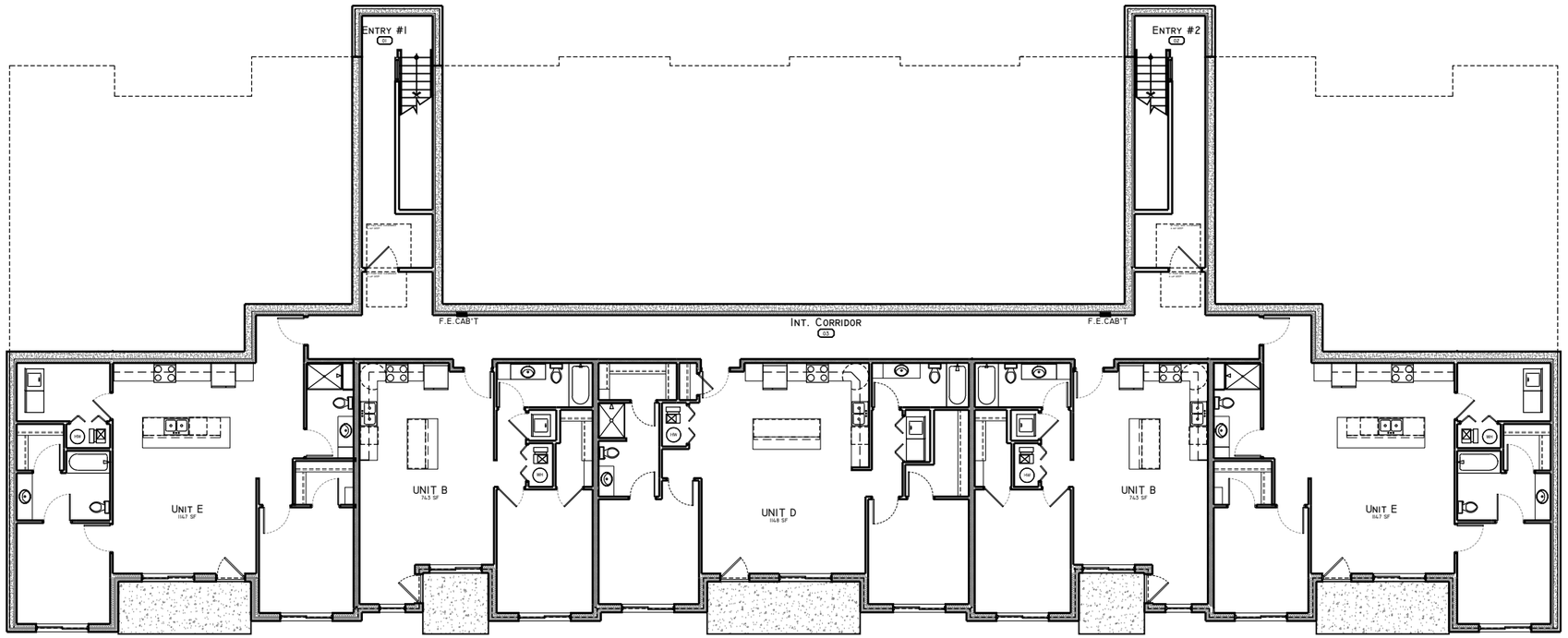
LIFT STATION

OUTLOT A | OUTLOT B | OUTLOT C

NORTH

SITE PLAN
1"=100'-0"
0 100 200

5191150: whispering oaks | COUNCIL BLUFFS, IOWA | 2022.03.08

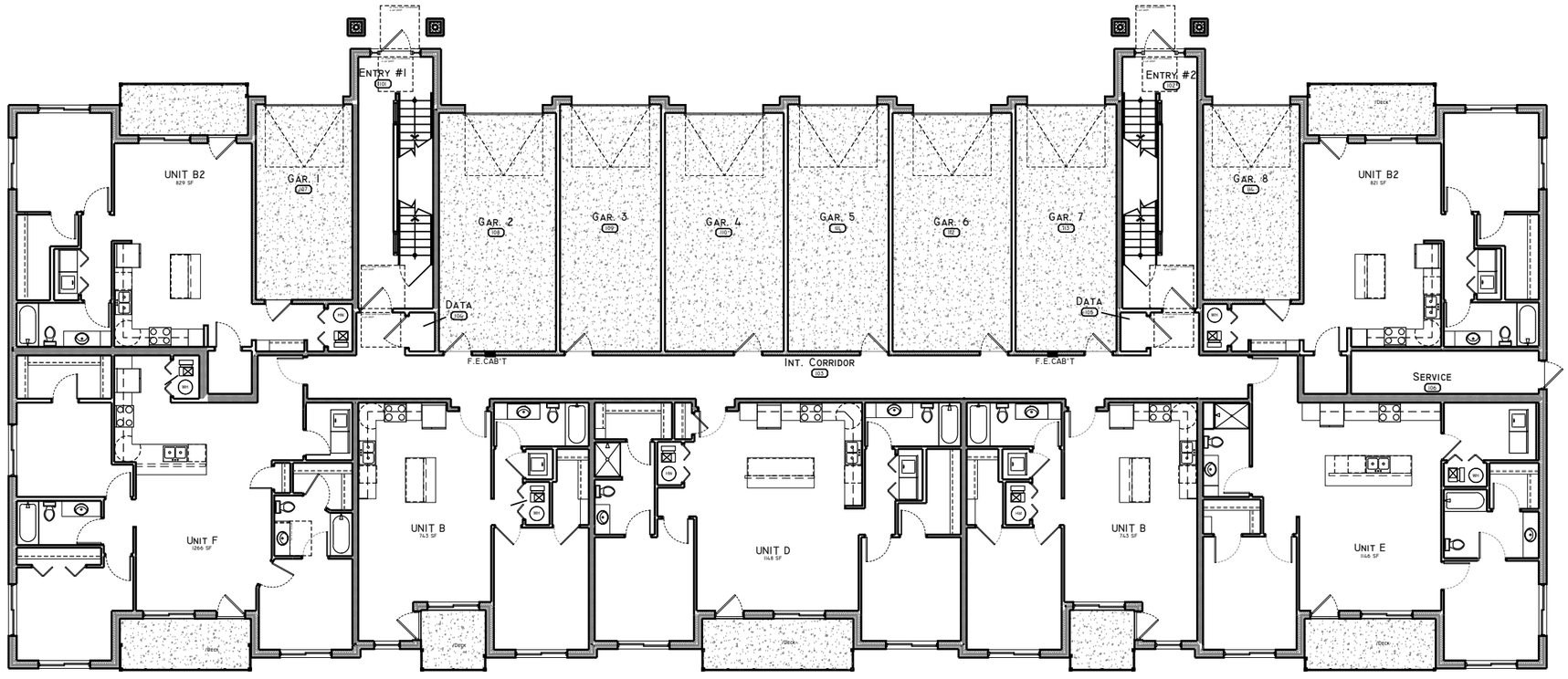


33-PLEX
LOWER LEVEL PLAN

1/16"=1'-0"

0 1 4 8 16

whispering oaks	COUNCIL BLUFFS, IOWA	2021.07.30



33-PLEX
MAIN LEVEL PLAN

1/16"=1'-0"

0 1 4 8 16

whispering oaks	COUNCIL BLUFFS, IOWA	2021.07.30

33-PLEX
SECOND LEVEL PLAN

1/16"=1'-0"

0 1 4 8 16

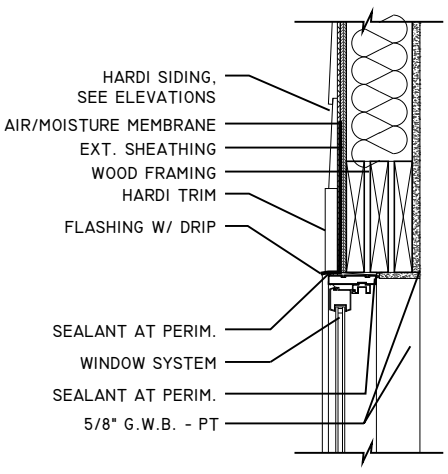
whispering oaks	COUNCIL BLUFFS, IOWA	2021.07.30

33-PLEX
THIRD LEVEL PLAN

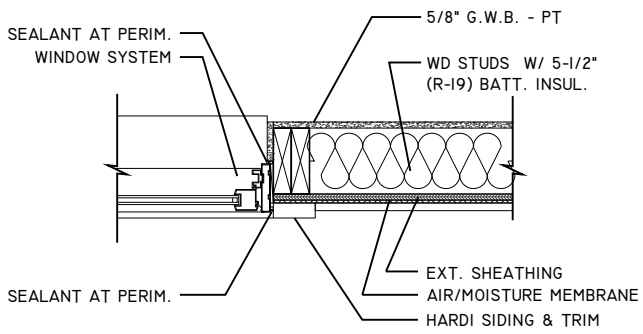
1/16"=1'-0"

0 1 4 8 16

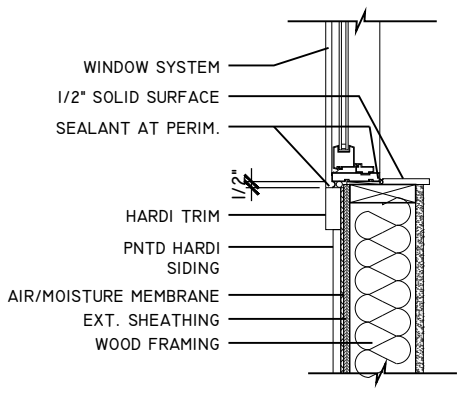
whispering oaks	COUNCIL BLUFFS, IOWA	2021.07.30



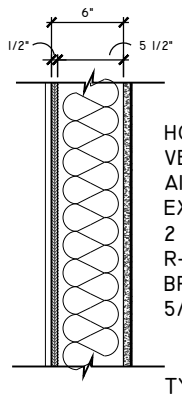
W | 8	WINDOW HEAD DETAIL
1" = 1'-0"	@ SIDING



W | 4	WINDOW JAMB DETAIL
1" = 1'-0"	@ SIDING



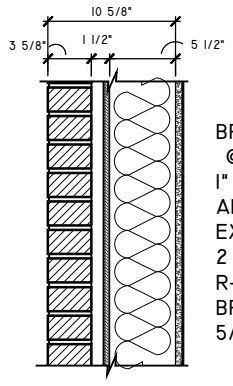
W | 1	WINDOW SILL DETAIL
1" = 1'-0"	@ SIDING



HORIZ. HARDI SIDING OR
VERTICAL HARDI SIDING
AIR/MOISTURE MEMBRANE
EXT. SHEATHING
2 x 6 WOOD STUD @ 16" O.C.
R-19 BATT INSULATION
BREATHABLE POLY
5/8" G.W.B.

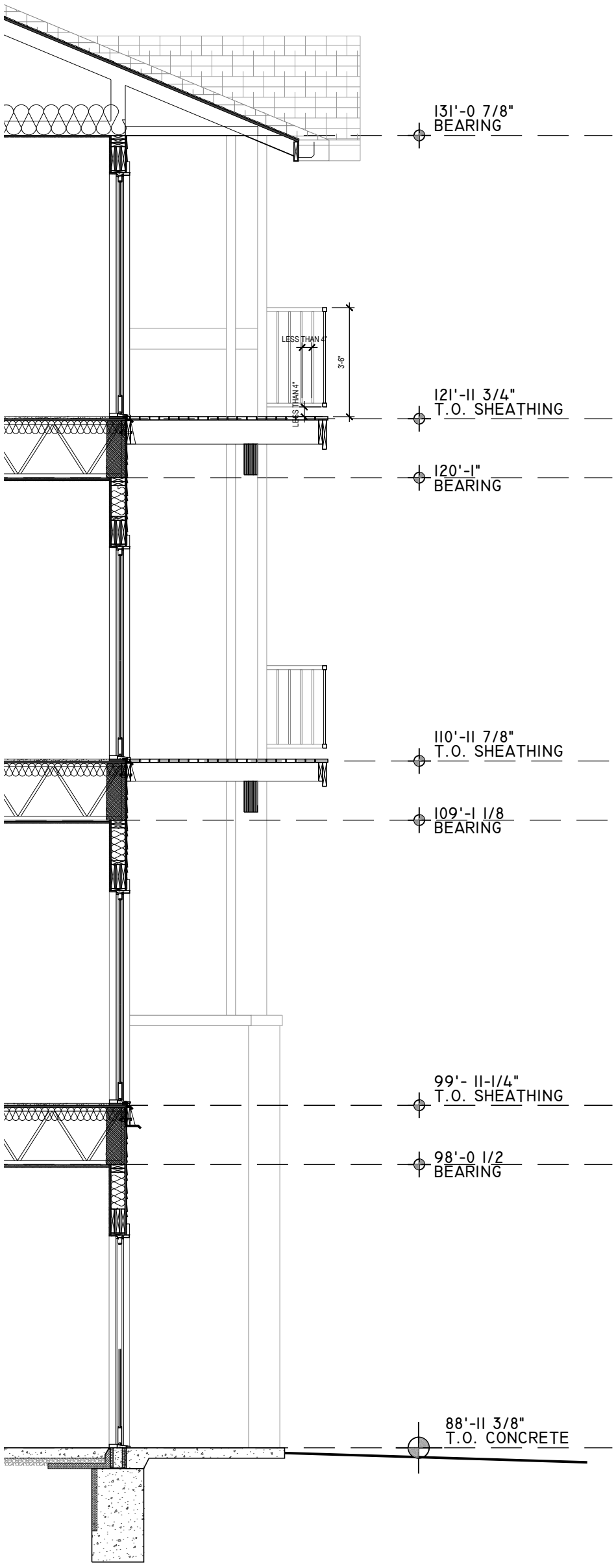
TYPICAL EXTERIOR WALL
TO BE UL 305 OR UL 309

F | 4	1-HR EXTERIOR WALL
NO SCALE	@ SIDING



BRICK MASONRY VENEER TIED
@ 16" O.C. E.W.
1" AIR SPACE
AIR/MOISTURE MEMBRANE
EXT. SHEATHING
2 x 6 WOOD STUD @ 16" O.C.
R-19 BATT INSULATION
BREATHABLE POLY
5/8" G.W.B.

V | 7	1-HR EXT. 2X6 WALL
NO SCALE	@ BRICK (UL U305)



33-PLEX
TYPICAL SECTION

1/4"=1'-0"
0 1 2 4 8

whispering oaks	COUNCIL BLUFFS, IOWA	2021.07.30

studio 951
SHIVE-HATTERY

SIDE ELEVATION

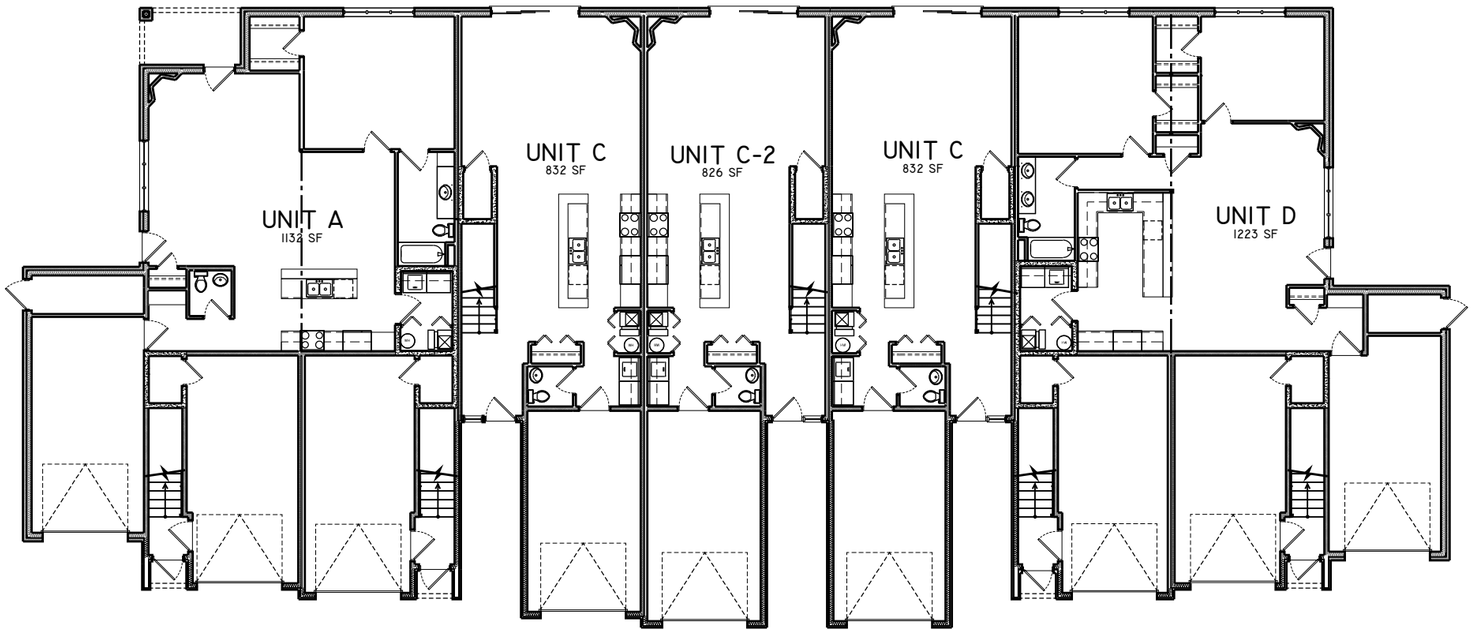
FRONT ELEVATION

BACK ELEVATION

SIDE ELEVATION

33-PLEX | *whispering oaks* | COUNCIL BLUFFS, IOWA | 2021.07.30

33-PLEX | *whispering oaks* | COUNCIL BLUFFS, IOWA | 2021.07.30

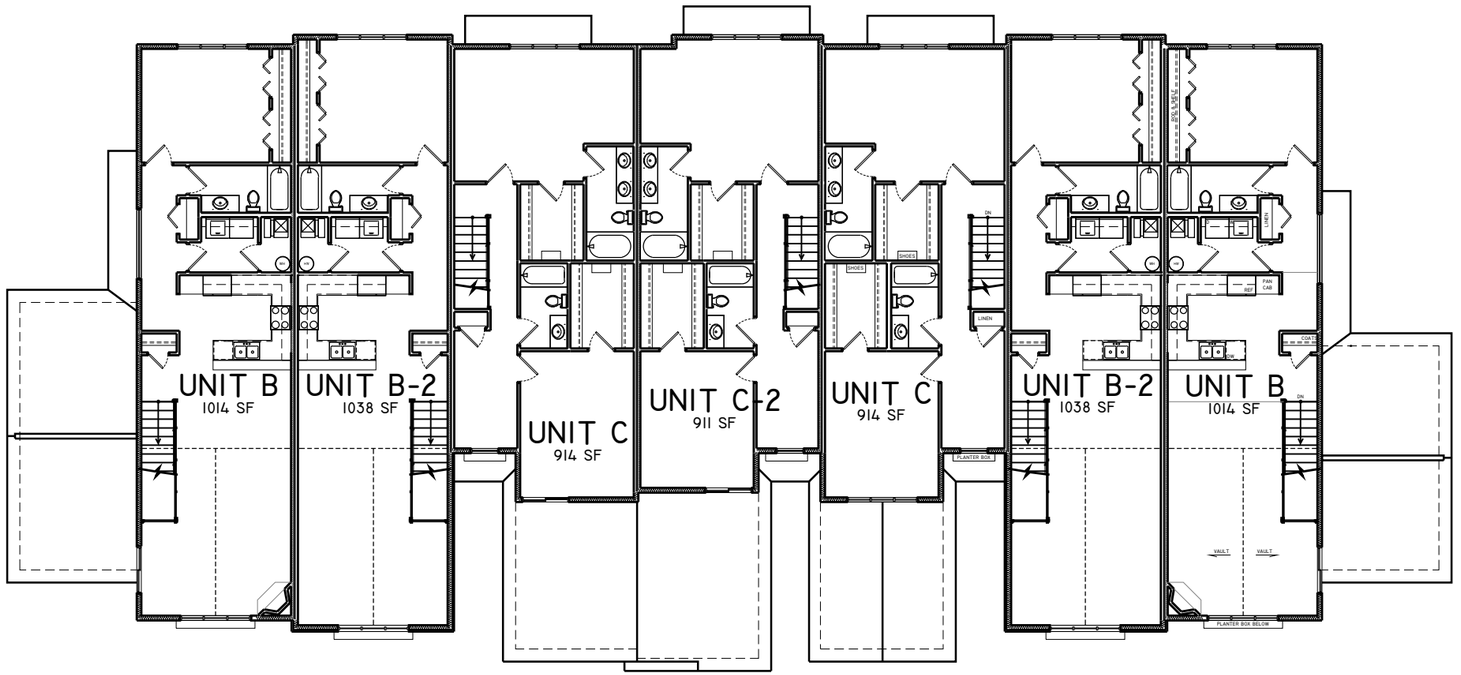


9-PLEX
MAIN LEVEL PLAN

1/16"=1'-0"

0 1 4 8 16

whispering oaks	COUNCIL BLUFFS, IOWA	2021.07.30



9-PLEX
2ND LEVEL PLAN

1/16"=1'-0"

0 1 4 8 16

whispering oaks	COUNCIL BLUFFS, IOWA	2021.07.30

studio 951
SHIVE-HATTERY

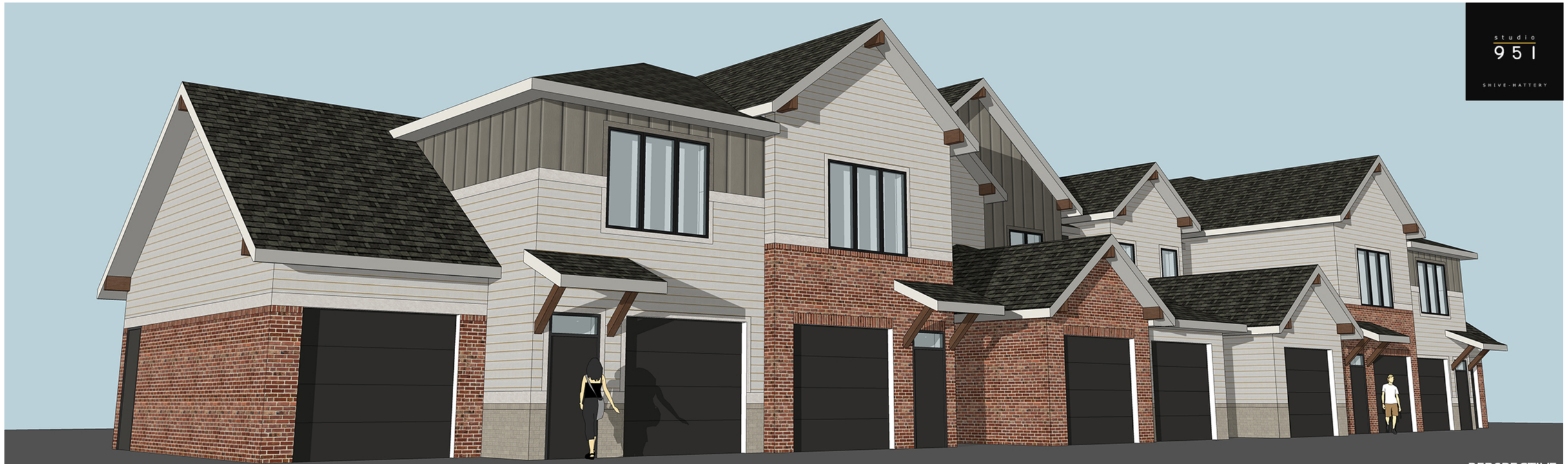
FRONT ELEVATION

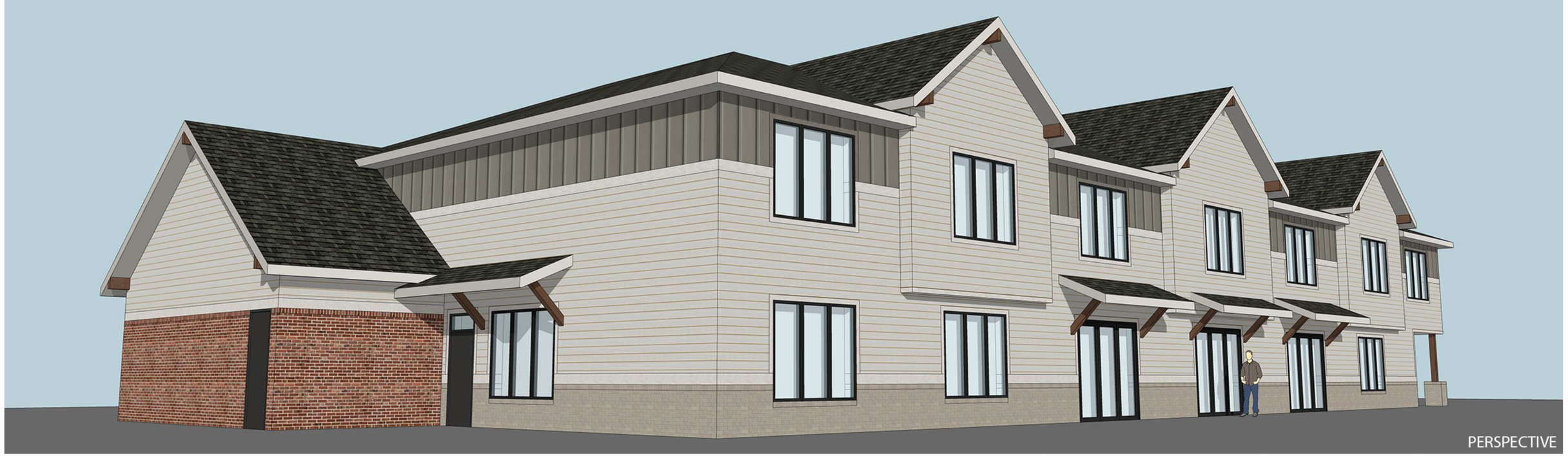
SIDE ELEVATION

SIDE ELEVATION

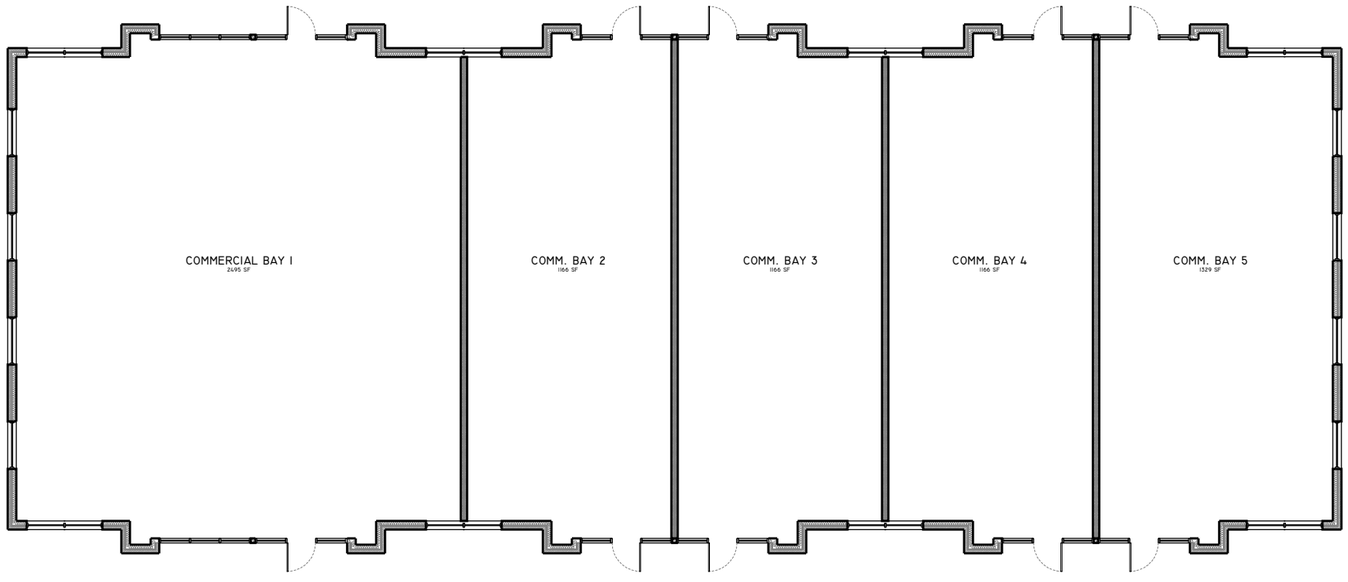
BACK ELEVATION

9-PLEX | *whispering oaks* | COUNCIL BLUFFS, IOWA | 2021.07.30





9-PLEX | *whispering oaks* | COUNCIL BLUFFS, IOWA | 2021.07.30

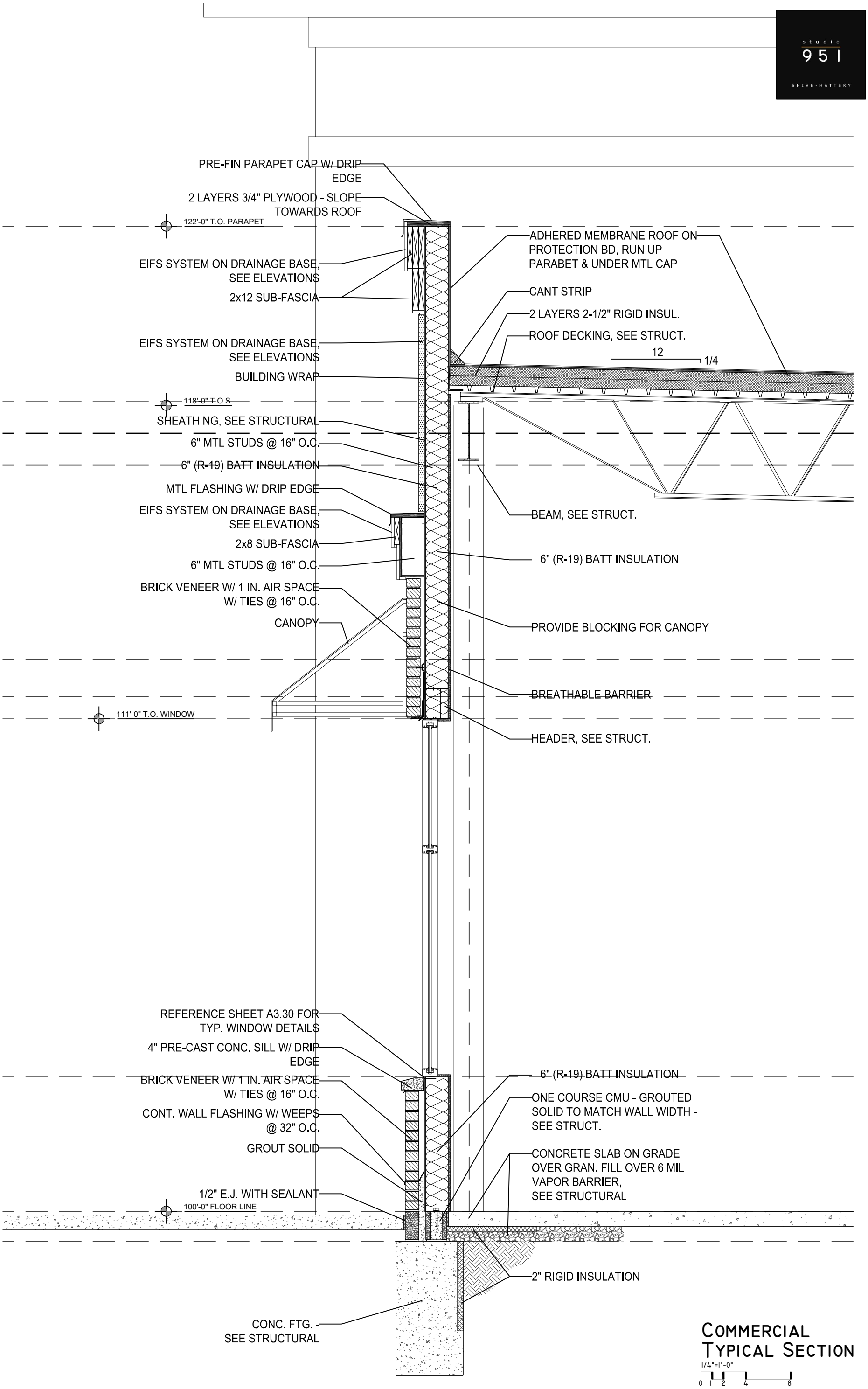


COMMERCIAL MAIN LEVEL PLAN

1/16"=1'-0"

0 1 4 8 16

whispering oaks	COUNCIL BLUFFS, IOWA	2021.07.30



COMMERCIAL TYPICAL SECTION

1/4"=1'-0"

0 1 2 4 8

whispering oaks	COUNCIL BLUFFS, IOWA	2021.07.30

COMMERCIAL | *whispering oaks* | COUNCIL BLUFFS, IOWA | 2021.07.30

studio 951
SHIVE-HATTERY

PERSPECTIVE

PERSPECTIVE

COMMERCIAL | *whispering oaks* | COUNCIL BLUFFS, IOWA | 2021.07.30

ORDINANCE NO. 6533

AN ORDINANCE ESTABLISHING THE WHISPERING OAKS URBAN REVITALIZATION AREA WITHIN THE CITY OF COUNCIL BLUFFS.

WHEREAS, the City of Council Bluffs has the authority under Chapter 404 of the Code of Iowa to declare an area as an urban revitalization area to be known as the "Whispering Oaks Urban Revitalization Area;" and

WHEREAS, the City of Council Bluffs is contemplating exercising said authority by designating an area legally described as an urban revitalization area, thus allowing tax abatement for qualified projects, legal description of this area is attached as Exhibit A; and

WHEREAS, this City Council of the City of Council Bluffs, Iowa, finds that the subject area is appropriate as an urban revitalization area as outlined in Sections 404.1(4) of the Iowa Code; and

WHEREAS, on October 24, 2022, the City Council passed a Resolution of Necessity and Intent to establish an urban revitalization area for the Whispering Oaks Urban Revitalization Area, directing staff to prepare the required revitalization plan and a public hearing was set for November 28, 2022; and

WHEREAS, the Revitalization Plan has been written and packaged, notification sent to all the property owners and tenants affected and published notification has appeared in the daily newspaper; and

WHEREAS, at its November 8, 2022 meeting, the City Planning Commission reviewed the plan for the Whispering Oaks Urban Revitalization Area and has forwarded its recommendation to this City Council.

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

SECTION 1. That the urban revitalization plan for the Whispering Oaks Urban Revitalization Area, known as the "Whispering Oaks Urban Revitalization Plan," attached hereto and made a part hereof, is hereby approved as to form and content.

SECTION 2. That the proposed Whispering Oaks Urban Revitalization Area be and the same is hereby approved, pursuant to the proposed plan attached hereto and incorporated herein by this reference.

SECTION 3. EFFECTIVE DATE. That this ordinance shall be in full force and effect from and after its final passage and publication, as by law provided.

APPROVED
AND
ADOPTED December 19, 2022

Matthew J. Walsh Mayor

ATTEST:

Jodi Quakenbush City Clerk

FIRST CONSIDERATION: 11/28/2022
SECOND CONSIDERATION: 12/19/2022
THIRD CONSIDERATION: REQUEST TO WAIVE

Council Communication

Department: Community Development
Case/Project No.:
Submitted by: Housing & Economic Development

Ordinances 6534 though 6540
ITEM 5.C.

Council Action: 11/28/2022

Description

Ordinances 6534 through 6540 to repeal Urban Revitalization plans and areas for; the Peterson School; Indian Creek South; Bluff Street; South 4th Street; Pine Ridge; Hawkeye Heights and Gunn School.

Background/Discussion

See attached staff report.

Recommendation

ATTACHMENTS:

Description	Type	Upload Date
Staff Report	Staff Report	11/18/2022
Ordinance 6534	Ordinance	11/22/2022
Ordinance 6535	Ordinance	11/22/2022
Ordinance 6536	Ordinance	11/22/2022
Ordinance 6537	Ordinance	11/22/2022
Ordinance 6538	Ordinance	11/22/2022
Ordinance 6539	Ordinance	11/22/2022
Ordinance 6540	Ordinance	11/22/2022

Council Communication
November 28, 2022 City Council Meeting

Department: Community Development Case/Project Nos.: URV-18-002, URV 11-002, URV -10-003, URV-18-003, URV-10-004, URV 16-001, URV-14-004	Ordinance Nos.: Resolution Nos.: 22-	First Reading: 11-28-22 Second Reading: N/A Third Reading: N/A Public Hearing: 11-28-22

Subject/Title

1) Repeal of the Peterson School Urban Revitalization Plan, Area and Ordinance
2) Repeal of the Indian Creek South Urban Revitalization Plan, Area and Ordinance
3) Repeal Bluff Street Urban Revitalization Plan, Area and Ordinance
4) Repeal South 4th Street Urban Revitalization Plan, Area and Ordinance
5) Repeal Pine Ridge Urban Revitalization Plan, Area and Ordinance
6) Repeal Hawkeye Heights Urban Revitalization Plan, Area and Ordinance
7) Repeal Gunn School Urban Revitalization Plan, Area and Ordinance

Background/Discussion

Background

Chapter 404 of the Iowa Code authorizes a City to designate an area as an urban revitalization area. Improvements to qualified real estate within designated areas may then be eligible to receive a total or partial exemption from property taxes for a specified number of years. The exemptions are intended to stimulate private investment by reducing the tax increase that would normally result from making improvements to real estate property. Urban revitalization tax abatement incentives apply to commercial development, industrial development and multi-family residential development (12 units or more). Both new construction on vacant or unimproved land and the rehabilitation of existing structures are eligible for tax abatement.

The City of Council Bluffs currently has 21 urban revitalization areas. Several of these areas projects have been completed. As a result, these seven areas should now be repealed.

Discussion

Peterson School – The Peterson School Urban Revitalization Area was originally adopted on April 9, 2018 by Resolution 18-93 and Ordinance 6324. As a result of the creation of this urban revitalization area, Lake Creek Properties, LLC renovated an existing structure in to a post-secondary school specializing in hair design. The project is now complete.

Indian Creek South – The Indian Creek South Urban Revitalization Area was originally adopted on December 12, 2011 by Resolution 11-284 and Ordinance 6143. As a result of the creation of this urban revitalization area several commercial improvement projects were able to be completed.

Bluff Street – The Bluff Street Urban Revitalization Area was originally adopted on June 14, 2010 by Resolution 10-160 and Ordinance 6087. As a result of the creation of this urban revitalization area, J Development Company renovated the Kirn gym into 20 multi-family units. The project is now complete.

South 4th Street – The South 4th Street Urban Revitalization Area was originally adopted on April 9,

2018 by Resolution 18-94 and Ordinance 6325. As a result of the creation of this urban revitalization area, 7 South 4th Street, LLC constructed a family entertainment center. The project is now complete.

Pine Ridge – The Pine Ridge Urban Revitalization Area was originally adopted on June 14, 2010 by Resolution 10-161 and Ordinance 6088. As a result of the creation of this urban revitalization area, J Development renovated 96 multi-family units, parking areas, retaining walls and made drainage improvements. The project is now complete.

Hawkeye Heights – The Hawkeye Heights Urban Revitalization Area was originally adopted on February 22, 2016 by Resolution 16-23 and Ordinance 6269. As a result of the creation of this Urban Revitalization area, Agemark Senior Living developed a 34 unit senior memory care/assisted living facility. The project is now complete.

Gunn School – Gunn School Urban Revitalization Area was originally adopted on October 27, 2014 by Resolution 14-253 and Ordinance 6216. As a result of the creation of this Urban Revitalization area, Seldin renovated the Gunn School into 46 multi-family units for senior living. The project is now complete.

Staff Recommendation

The Community Development Department recommends repealing the Peterson School, Indian Creek South, Bluff Street, South 4th Street, Pine Ridge, Hawkeye Heights and Gunn School Urban Revitalization Plans and Areas and including the corresponding ordinances, effective November 28, 2022.

Attachments

Resolutions and Ordinances to Repeal

Prepared by: Marianne Collins, Housing & Economic Development Planner, Community Development Department
Submitted by: Courtney Harter, Housing & Economic Development Director, Community Development Department

ORDINANCE NO. 6534

AN ORDINANCE TO REPEAL ORDINANCE NO. 6324 WHICH ESTABLISHED THE PETERSON SCHOOL URBAN REVITALIZATION AREA WITHIN THE CITY OF COUNCIL BLUFFS.

WHEREAS, on April 9, 2018, Ordinance No. 6324 was passed by the City Council establishing the Peterson School Urban Revitalization Area; and

WHEREAS, the term of the Peterson School Urban Revitalization Area is set to expire on December 31, 2035; and

WHEREAS, the project is complete and there is no longer a need for the Peterson School Revitalization Plan and Area; and

WHEREAS, pursuant to Section 404.7 of the Code of Iowa, and after study and consideration, it is the opinion of this City Council that Ordinance No. 6324, which established the Peterson School Urban Revitalization Area, should be repealed.

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

SECTION 1. That Ordinance No. 6324 passed and approved on April 9, 2018 is hereby repealed.

SECTION 2. EFFECTIVE DATE. That this ordinance shall be in full force and effect from and after its final passage and publication, as by law provided.

.

APPROVED
AND
ADOPTED December 19, 2022

Matthew J. Walsh Mayor

ATTEST:

Jodi Quakenbush City Clerk

FIRST CONSIDERATION: 11/28/2022
SECOND CONSIDERATION: 12/19/2022
THIRD CONSIDERATION: REQUEST TO WAIVE

ORDINANCE NO. 6535

AN ORDINANCE TO REPEAL ORDINANCE NO. 6143 WHICH ESTABLISHED THE INDIAN CREEK SOUTH URBAN REVITALIZATION AREA WITHIN THE CITY OF COUNCIL BLUFFS.

WHEREAS, on December 12, 2011, Ordinance No. 6143 was passed by the City Council establishing the Indian Creek South Urban Revitalization Area; and

WHEREAS, the term of the Indian Creek South Urban Revitalization Area is set to expire on June 30, 2025; and

WHEREAS, the project is complete and there is no longer a need for the Indian Creek South Revitalization Plan and Area; and

WHEREAS, pursuant to Section 404.7 of the Code of Iowa, and after study and consideration, it is the opinion of this City Council that Ordinance No. 6143, which established the Indian Creek South Urban Revitalization Area, should be repealed.

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

SECTION 1. That Ordinance No. 6143 passed and approved on December 12, 2011 is hereby repealed.

SECTION 2. EFFECTIVE DATE. That this ordinance shall be in full force and effect from and after its final passage and publication, as by law provided.

APPROVED
AND
ADOPTED December 19, 2022

Matthew J. Walsh Mayor

ATTEST:

Jodi Quakenbush City Clerk

FIRST CONSIDERATION: 11/28/2022
SECOND CONSIDERATION: 12/19/2022
THIRD CONSIDERATION: REQUEST TO WAIVE

ORDINANCE NO. 6536

AN ORDINANCE TO REPEAL ORDINANCE NO. 6087 WHICH ESTABLISHED THE BLUFF STREET URBAN REVITALIZATION AREA WITHIN THE CITY OF COUNCIL BLUFFS.

WHEREAS, on June 14, 2010, Ordinance No. 6087 was passed by the City Council establishing the Bluff Street Urban Revitalization Area; and

WHEREAS, the term of the Bluff Street Urban Revitalization Area is set to expire on June 30, 2025; and

WHEREAS, the project is complete and there is no longer a need for the Bluff Street Revitalization Plan and Area; and

WHEREAS, pursuant to Section 404.7 of the Code of Iowa, and after study and consideration, it is the opinion of this City Council that Ordinance No. 6087, which established the Bluff Street Urban Revitalization Area, should be repealed.

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

SECTION 1. That Ordinance No. 6087 passed and approved on June 14, 2010 is hereby repealed.

SECTION 2. EFFECTIVE DATE. That this ordinance shall be in full force and effect from and after its final passage and publication, as by law provided.

APPROVED
AND
ADOPTED December 19, 2022

Matthew J. Walsh Mayor

ATTEST:

Jodi Quakenbush City Clerk

FIRST CONSIDERATION: 11/28/2022
SECOND CONSIDERATION: 12/19/2022
THIRD CONSIDERATION: REQUEST TO WAIVE

ORDINANCE NO. 6537

AN ORDINANCE TO REPEAL ORDINANCE NO. 6325 WHICH ESTABLISHED THE SOUTH FOURTH STREET URBAN REVITALIZATION AREA WITHIN THE CITY OF COUNCIL BLUFFS.

WHEREAS, on April 9, 2018, Ordinance No. 6325 was passed by the City Council establishing the South Fourth Street Urban Revitalization Area; and

WHEREAS, the term of the South Fourth Street Urban Revitalization Area is set to expire on December 31, 2038; and

WHEREAS, the project is complete and there is no longer a need for the South Fourth Street Revitalization Plan and Area; and

WHEREAS, pursuant to Section 404.7 of the Code of Iowa, and after study and consideration, it is the opinion of this City Council that Ordinance No. 6325, which established the South Fourth Street Urban Revitalization Area, should be repealed.

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

SECTION 1. That Ordinance No. 6325 passed and approved on April 9, 2018 is hereby repealed.

SECTION 2. EFFECTIVE DATE. That this ordinance shall be in full force and effect from and after its final passage and publication, as by law provided.

APPROVED
AND
ADOPTED December 19, 2022

Matthew J. Walsh Mayor

ATTEST:

Jodi Quakenbush City Clerk

FIRST CONSIDERATION: 11/28/2022
SECOND CONSIDERATION: 12/19/2022
THIRD CONSIDERATION: REQUEST TO WAIVE

ORDINANCE NO. 6538

AN ORDINANCE TO REPEAL ORDINANCE NO. 6088 WHICH ESTABLISHED THE PINE RIDGE URBAN REVITALIZATION AREA WITHIN THE CITY OF COUNCIL BLUFFS.

WHEREAS, on June 14, 2010, Ordinance No. 6088 was passed by the City Council establishing the Pine Ridge Urban Revitalization Area; and

WHEREAS, the term of the Pine Ridge Street Urban Revitalization Area is set to expire on June 30, 2025; and

WHEREAS, the project is complete and there is no longer a need for the Pine Ridge Revitalization Plan and Area; and

WHEREAS, pursuant to Section 404.7 of the Code of Iowa, and after study and consideration, it is the opinion of this City Council that Ordinance No. 6088, which established the Pine Ridge Urban Revitalization Area, should be repealed.

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

SECTION 1. That Ordinance No. 6088 passed and approved on June 14, 2010 is hereby repealed.

SECTION 2. EFFECTIVE DATE. That this ordinance shall be in full force and effect from and after its final passage and publication, as by law provided.

APPROVED
AND
ADOPTED December 19, 2022

Matthew J. Walsh Mayor

ATTEST:

Jodi Quakenbush City Clerk

FIRST CONSIDERATION: 11/28/2022
SECOND CONSIDERATION: 12/19/2022
THIRD CONSIDERATION: REQUEST TO WAIVE

ORDINANCE NO. 6539

AN ORDINANCE TO REPEAL ORDINANCE NO. 6269 WHICH ESTABLISHED THE HAWKEYE HEIGHTS URBAN REVITALIZATION AREA WITHIN THE CITY OF COUNCIL BLUFFS.

WHEREAS, on February 22, 2016, Ordinance No. 6269 was passed by the City Council establishing the Hawkeye Heights Urban Revitalization Area; and

WHEREAS, the term of the Hawkeye Heights Street Urban Revitalization Area is set to expire on December 31, 2030; and

WHEREAS, the project is complete and there is no longer a need for the Hawkeye Heights Revitalization Plan and Area; and

WHEREAS, pursuant to Section 404.7 of the Code of Iowa, and after study and consideration, it is the opinion of this City Council that Ordinance No. 6269, which established the Hawkeye Heights Urban Revitalization Area, should be repealed.

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

SECTION 1. That Ordinance No. 6269 passed and approved on February 22, 2016 is hereby repealed.

SECTION 2. EFFECTIVE DATE. That this ordinance shall be in full force and effect from and after its final passage and publication, as by law provided.

APPROVED
AND
ADOPTED December 19, 2022

Matthew J. Walsh Mayor

ATTEST:

Jodi Quakenbush City Clerk

FIRST CONSIDERATION: 11/28/2022
SECOND CONSIDERATION: 12/19/2022
THIRD CONSIDERATION: REQUEST TO WAIVE

ORDINANCE NO. 6540

AN ORDINANCE TO REPEAL ORDINANCE NO. 6216 WHICH ESTABLISHED THE GUNN SCHOOL URBAN REVITALIZATION AREA WITHIN THE CITY OF COUNCIL BLUFFS.

WHEREAS, on October 27, 2014, Ordinance No. 6216 was passed by the City Council establishing the Gunn School Urban Revitalization Area; and

WHEREAS, the term of the Gunn School Street Urban Revitalization Area is set to expire on June 30, 2025; and

WHEREAS, the project is complete and there is no longer a need for the Gunn School Revitalization Plan and Area; and

WHEREAS, pursuant to Section 404.7 of the Code of Iowa, and after study and consideration, it is the opinion of this City Council that Ordinance No. 6216, which established the Gunn School Urban Revitalization Area, should be repealed.

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

SECTION 1. That Ordinance No. 6216 passed and approved on October 27, 2014 is hereby repealed.

SECTION 2. EFFECTIVE DATE. That this ordinance shall be in full force and effect from and after its final passage and publication, as by law provided.

APPROVED
AND
ADOPTED December 19, 2022

Matthew J. Walsh Mayor

ATTEST:

Jodi Quakenbush City Clerk

FIRST CONSIDERATION: 11/28/2022
SECOND CONSIDERATION: 12/19/2022
THIRD CONSIDERATION: REQUEST TO WAIVE

Council Communication

Department: City Clerk
Case/Project No.: PR-22-004
Submitted by: Haley Weber, Planner

Ordinance 6527
ITEM 6.A.

Council Action: 11/28/2022

Description

Ordinance to amend the zoning map as adopted by reference in section 15.27.020, by appending a PR-2 Overlay and adopting the associated development plan for three townhomes in an R-3/Multi-Family Residential District, on property legally described as Lot 12, Block 5, Cochran's Addition, as set forth and defined in Chapter 15.28. Location: Undeveloped land located immediately north of 105 S. 24th Street. PR-22-004

Background/Discussion

See attached staff report.

Recommendation

ATTACHMENTS:

Description	Type	Upload Date
Staff Report	Staff Report	10/14/2022
Attachment A –The Row on First Final Plat	Other	10/14/2022
Attachment B – Letter of Intent	Letter	10/14/2022
Attachment C – Site Plan	Other	10/14/2022
Attachment D – Building Elevations	Other	10/14/2022
Attachment E – Landscaping Plan	Other	10/14/2022
Attachment F – Location/Zoning Map	Map	10/14/2022
Public Hearing Notice	Notice	10/14/2022
Exhibit 1	Other	11/8/2022
Ordinance 6527	Ordinance	10/18/2022

City Council Communication

Department: Community Development CASE #PR-22-004 Applicant: Pottawattamie County Development Corporation d/b/a The 712 Initiative 1228 South Main Street Council Bluffs, IA 51503 Property Owner: Same as applicant Developer: Same as applicant	Ordinance No. _____	City Council 1st Consideration: 10/24/22 2nd Consideration: 11/14/22 3rd Consideration: 11/28/22 Planning Commission: 10/11/22

Subject/Title

Request: Public hearing of the request of the Pottawattamie County Development Corporation d/b/a The 712 Initiative to append a PR-2 Overlay and adopt the associated development plan for three townhomes in an R-3/Multi-Family Residential District, on property legally described as Lot 12, Block 5, Cochran's Addition, City of Council Bluffs, Pottawattamie County, Iowa

Location: Undeveloped land located immediately north of 105 S. 24th Street

Background

The Community Development Department has received a request from the Pottawattamie County Development Corporation d/b/a The 712 Initiative to append a PR-2 Overlay and adopt the associated development plan to allow for the construction of a three-unit townhome on the property legally described above.

On February 28, 2022, Council Bluffs City Council approved Ordinance No. 6483 to amend Chapter 15.28, P-R/Planned Residential Overlay, of the Council Bluffs Municipal Code (Zoning Ordinance) to enact new standards in regards to planned residential overlays within the city. The intent of the text amendment was to provide a tool to allow for innovative and imaginative residential development through flexibility in land use and site design with the adoption of a development plan.

The proposal includes a final plat, included as Attachment 'A', to subdivide the property into three lots of record so each townhome unit can be sold separately. The applicant's letter of intent is included with this report as Attachment 'B'. The townhomes will be oriented towards First Avenue, with each unit having direct access to the First Avenue multi-use trail. The submitted site plan, included as Attachment 'C', shows a one-car garage provided for each of the two end units. The applicant is working on a shared parking agreement with HyVee to dedicate four parking spaces in their overflow parking lot, located across S. 24th Street, to the proposed townhome development. Two of the four parking spaces will be dedicated to the middle unit. The two end units will utilize the two remaining parking spaces.

The front façade facing First Avenue will utilize smooth hardboard siding as the primary material, with architectural aluminum siding with a wood appearance as an accent material around the entrance to each unit. The proposed exterior colors will be white and a dark gray/charcoal. Each unit will have a second story balcony with a cable railing over the front entrance, which is covered by a portico. The front façade is further characterized by differing roof elevations between the end and middle units and a galvanized metal roof. The east, west, and rear elevations utilize eight inch lap siding. The end units have garage doors off the east and west elevations. The building elevations are included as Attachment 'D'. The submitted landscaping plan, included as Attachment 'E', shows a mixture of trees, shrubs, and perennial flowers and grasses along the west, north, and east building elevations.

Attachments – The following attachments are included with this report:

- Attachment A –Row on First Final Plat
- Attachment B – Letter of Intent
- Attachment C – Site Plan
- Attachment D – Building Elevations
- Attachment E – Landscaping Plan
- Attachment F – Location/Zoning Map

Land Use and Zoning

The following zoning and land uses surround the subject property:

North: HyVee grocery store zoned C-2/Commercial District
South: Single-family dwellings zoned R-3/Low-Density Multifamily District
East: Residential properties zoned R-3/Low-Density Multifamily Residential District
West: HyVee's overflow parking lot zoned C-2/Commercial District

A location/zoning map is included with this report as Attachment 'F'.

Public notices were mailed to all property owners within 200 feet of the request. As of the date of this report, no comments were received.

All City Departments and local utilities were notified of the proposed planned residential overlay request. The following comments were received:

The Community Development Department provided the following comments:

A. The subject property is located within the West Broadway Corridor Design Overlay (CDO). The purpose of the West Broadway CDO is "*to promote a well-planned and visually attractive corridor that encourages private investment, opportunities for multi-modal transportation options, safe pedestrian access and walkability, improved traffic and parking conditions, and buildings constructed with high quality materials and timeless architectural design. These measures intend to enhance streetscapes, promote active public spaces, and encourage a mixture of land uses that collectively implement the vision of the adopted West Broadway Corridor Plan."* The West Broadway CDO design standards are applicable to *"new construction of commercial, mixed use, and multifamily structures and sites"*. While the proposed townhome development is not required to adhere to the minimum design standards of the West Broadway CDO, all new construction of non-one and two family uses within the West Broadway CDO shall be designed in a manner that is consistent with the spirit and intent of the ordinance.
B. The subject property is located along the First Avenue trail, which is the City's premier multi-use trail, conducive to walking, biking and micro-mobility options. Once complete, the First Avenue

multi-use trail will connect Downtown Omaha to Downtown Council Bluffs. The proposed townhome development will have the benefit of direct access to the trail, which will allow its residents to utilize an array of transportation options to access the jobs, education, recreational spaces, retail spaces, and services located in Downtown Omaha, the West Broadway Corridor, and Downtown Council Bluffs.

C. Section 15.28.010, Statement of Intent, PR/Planned Residential Overlay, of the Council Bluffs Municipal Code (Zoning Ordinance) states that "*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*." Furthermore, Section 15.28.020, Applicability, of the CBMC (Zoning Ordinance), states that *"A PR Overlay may be applied to all residential zoning districts, except the R-1M/Single-Family Manufactured Housing District, and the A-P Administrative Professional District"* and *"The PR-2 Overlay is intended for site-specific infill development. A PR-2 Overlay may be applied to any property, or combination of contiguous properties owned by the same person or entity, that contain a maximum of one and one-half (1 ½) acres of total land area; however, at least one of the following shall be included within the development:*

1. *A minimum of two (2) residential structures.*
2. *A minimum of one (1) residential structure that contains a minimum of three (3) dwelling units.*
3. *A minimum of one (1) mixed commercial-residential structure."*

Additionally, Section 15.28.030, Permitted Land Uses and Site Development Regulations, of the CBMC (Zoning Ordinance), lists *"dwelling, townhouse"* as an allowed use in a PR Overlay.

The applicant proposes to append a PR-2/Planned Residential Overlay over the entirety of the subject property in order to establish site-specific development standards to allow the proposed three-unit townhome to be built in an R-3/Low Density Multifamily District. The following items regulate the development of the subject property:

A. Site Development

1. Per Section 15.28.020, Applicability, of the CBMC, the maximum land area allowed for a PR-2 Overlay is 1.5 acres. The subject properties contain a total of 0.14 acres, which qualifies for use of a PR-2 Overlay.
2. Per Section 15.28.020, Applicability, of the CBMC, *"at least one of the following shall be included within the development:*
    a. *A minimum of two (2) residential structures.*
    b. *A minimum of one (1) residential structure that contains a minimum of three (3) dwelling units.*
    c. *A minimum of one (1) mixed commercial-residential structure."*

   The proposed development contains one residential structure with three dwelling units and therefore qualifies for use of a PR-2 Overlay.
3. For the purpose of this development plan, the north property line facing First Avenue shall be considered the front property line and the west property line along S. 24th Street shall be considered the street side yard property line. The following site development standards shall apply to the proposed townhome development:
    a. The front and rear yard setback shall be five (5) feet. No accessory structures shall be located between the front wall of the townhome and the front property line.
    b. The interior and street side yard setback shall be ten (10) feet.

c. Accessory structures, decks, porches, awnings, or other similar features, shall be no closer than five (5) feet to any property line.
d. The maximum lot coverage for the entire property shall be 60 percent.

4. No fencing or walls are proposed at this time. Any fencing or walls installed at a future date shall comply with the standards stated in Section 15.32A.130, Fences and Walls, of the Council Bluffs Municipal Code (Zoning Ordinance).
5. All utilities shall be installed underground. Any cost to remove, relocate, modify, and/or extend utilities to this site shall be at the sole cost of the developer and not the City.
6. A five-foot utility easement shall be retained along the front and rear property lines for utility access and maintenance. No structures shall be located within said easement areas.
7. A homeowner's association (HOA) shall be established through the subdivision process for maintenance of utilities and easements, all greenspace area, and building architecture.

B. Off-Street Parking

1. Per Section 15.23.060, Parking Spaces Required, of the Council Bluffs Municipal Code (Zoning Ordinance) the required number of off-street parking spaces for townhomes is 2 spaces per dwelling unit. The three proposed townhomes would require a total of six (6) off-street parking spaces. The proposed floor plans show the end units having one, one car attached garage each, with no attached parking provided for the middle unit. The submitted letter of intent states that the applicant and HyVee are working on a shared parking agreement for four (4) parking spaces. A total of six (6) off-street parking spaces are being provided total for the proposed townhomes, which meets the total minimum required. The parking spaces leased from HyVee shall be located within 400 feet of the front entrance to the middle unit to ensure that this unit has parking within a reasonable walking distance. No additional off-street parking shall be provided on-site, unless first approved by the Community Development and Public Works Departments. Additionally, the subject property is located within walking distance of a Metro bus stop.
2. A copy of the shared parking agreement between the applicant and HyVee shall be provided to the City prior to issuance of any building permits.
3. All driveways shall be hard surfaced paved and designed to meet all applicable City standards.

C. Architecture

1. The submitted elevations, included as Attachment 'D', show the front façade utilizing smooth hardboard siding as the primary material. The primary colors proposed are white and a dark gray/charcoal. Architectural aluminum siding with a wood appearance is shown as an accent material around the entrance to each unit. Each unit will have a second story balcony with a cable railing over the front entrance, which is covered by a portico. The front façade is further characterized by differing roof elevations between the end and middle units and a galvanized metal roof. All siding shall be non-vinyl siding. The proposed architectural plans are generally acceptable in design and layout and shall be adopted as submitted.
2. The submitted site plan shows air conditioning units for each unit along the rear of the property. If any wall or ground equipment, including air conditioning units, are visible from adjacent public right-of-way, excluding alleys, they shall be screened from view using architectural features, fencing, masonry wall, landscaping, or a combination thereof.
3. The subject property is located within the West Broadway CDO. While the townhomes are not subject to the full extent of the West Broadway CDO design standards, the proposed townhomes shall utilize high-quality materials and be designed in a manner that is consistent with the spirit and intent of the West Broadway CDO.
4. Minor modifications deemed to be compatible with the West Broadway CDO design standards listed in Section 15.32A, *West Broadway Corridor Design Overlay*, of the Council Bluffs

Municipal Code (Zoning Ordinance) shall be approved administratively by the Community Development Director or their designee.

D. Landscaping

1. The submitted landscaping plan, included as Attachment 'D', shows a mixture of trees, shrubs, and perennial flowers and grasses along the west, north, and east building elevations is generally acceptable and shall be adopted as submitted.
2. All tree species shall be reviewed and approved by the Parks and Recreation Department prior to planting to ensure there is no conflict with First Avenue trail plantings.
3. All landscaping shall be appropriately maintained and dead plant material replaced at a time appropriate to planting seasons but in all cases shall be replaced within one year.

5. Signage

1. A signage plan was not submitted with the development plan. All signage (detached and attached) shall comply with Section 15.33.160(C), P-R/Planned Residential District Sign Regulations, of the Municipal Code (Zoning Ordinance).

Council Bluffs Chief of Staff stated that the proposed development is a great example of the small-scale infill development that the City is striving to realize with all of our efforts within the West Broadway Corridor including the FIRST AVE multi-use trail, the West Broadway Corridor Plan, West Broadway CDO, rezonings, etc.

Council Bluffs Public Works Department stated that they have no comments in regards to the request.

Council Bluffs Permits and Inspections Division stated they have no concerns with the request.

Council Bluffs Water Works stated that they have no comments in regards to the request.

MidAmerican Energy stated that they have no concerns with the request and noted that the developer should contact MidAmerican Energy to discuss the project timeline, provide final engineering plans, and load information necessary to complete the design and identify costs associated with extending electric service to the proposed development.

Cox Communications stated that they have no objections to the request.

Recommendation

The Community Development Department recommends approval of the request to append a PR-2 Overlay and adopt the associated development plan for three townhomes in an R-3/Multi-Family Residential District, on property legally described as Lot 12, Block 5, Cochran's Addition, City of Council Bluffs, Pottawattamie County, Iowa, subject to all comments stated above and the following conditions:

A. Any modifications to the approved development plan which substantially alters the design, layout, configuration, and/or appearance of the project shall be reviewed by City Planning Commission and approved by City Council prior to such changes being made. Minor modifications to the adopted development plan that result in a product that is considered compatible with the overall development may be administratively approved by the Community Development Director or their designee.

B. A copy of the shared parking agreement between the applicant and HyVee shall be provided to the City prior to issuance of any building permits.

C. The final plat for the three-lot Row on First Subdivision shall not be recorded until such time that permits have been issued for the proposed townhomes as the proposed subdivision is specific to the proposed townhome development.

Public Hearing

Staff speakers for the request:
1. Haley Weber, Planner, City of Council Bluffs, 209 Pearl Street, Council Bluffs, IA 51503
2. Christopher Gibbons, Planning and Code Compliance Manager, 209 Pearl Street, Council Bluffs, IA 51503

Speakers in favor:
1. Lynn Dittmer, 1228 S. Main Street, Council Bluffs, IA 51503
2. Sheryl Garst, 1228 S. Main Street, Council Bluffs, IA 51503

Speakers against:
1. Corey Ratliff, 105 S. 24th Street, Council Bluffs, IA 51501

Planning Commission Recommendation

The City Planning Commission recommended approval of the request to append a PR-2 Overlay and adopt the associated development plan for three townhomes in an R-3/Multi-Family Residential District, on property legally described as Lot 12, Block 5, Cochran's Addition, City of Council Bluffs, Pottawattamie County, Iowa, subject to all comments stated above and the following conditions:

A. Any modifications to the approved development plan which substantially alters the design, layout, configuration, and/or appearance of the project shall be reviewed by City Planning Commission and approved by City Council prior to such changes being made. Minor modifications to the adopted development plan that result in a product that is considered compatible with the overall development may be administratively approved by the Community Development Director or their designee.
B. A copy of the shared parking agreement between the applicant and HyVee shall be provided to the City prior to issuance of any building permits.
C. The final plat for the three-lot Row on First Subdivision shall not be recorded until such time that permits have been issued for the proposed townhomes as the proposed subdivision is specific to the proposed townhome development.

VOTE: AYE – Bass, Halm, Knauss, Opperman, Rater, Rew, Scott, Stroebele, and VanHouten. NAY - None ABSTAIN - None ABSENT – Bailey and Hutcheson. VACANT – None. Motion: Carried.

Attachments

- Attachment A –The Row on First Final Plat
- Attachment B – Letter of Intent
- Attachment C – Site Plan
- Attachment D – Building Elevations
- Attachment E – Landscaping Plan
- Attachment F – Location/Zoning Map

Prepared by: Haley Weber, Planner, Community Development Department

RECORDER'S INDEX
LOT: 1
BLOCK: 5
SUBDIVISION: COCHRANS ADDITION
CITY: COUNCIL BLUFFS
COUNTY: POTTAWATTAMIE
PROPRIETOR: POTTAWATTAMIE DEVELOPMENT CORP.
REQUESTED BY: THE 712 INITIATIVE
DATE OF FIELD SURVEY: MAY 26, 2022

THE ROW ON 1st

BEING A REPLAT OF LOT 12, BLOCK 5, COCHRANS ADDITION, CITY OF COUNCIL BLUFFS, POTTAWATTAMIE COUNTY, IOWA.

LEGAL DESCRIPTION

LOT 1, BLOCK 5, COCHRANS ADDITION, CITY OF COUNCIL BLUFFS, POTTAWATTAMIE COUNTY, IOWA.

OWNER/DEVELOPER:
THE 712 INITIATIVE
1228 SOUTH MAIN STREET
COUNCIL BLUFFS, IOWA 51503

PREPARED BY: DAVID E. FORSYTHE, P.L.S., HGM ASSOCIATES INC., P.O. BOX 919, COUNCIL BLUFFS, IOWA 51502 (712)323-0530

CITY COUNCIL

APPROVED BY MAYOR: THE HONORABLE MATTHEW J. WALSH DATE

ATTESTED TO BY:

CITY CLERK: JODI QUAKENBUSH DATE

COMMUNITY DEVELOPMENT DIRECTOR: COURTNEY HARTER DATE

CERTIFICATE OF TREASURER OF POTTAWATTAMIE COUNTY, IOWA

I, THE TREASURER OF POTTAWATTAMIE COUNTY, IOWA, HEREBY CERTIFY THAT THE PROPERTY INCLUDED IN RIVER ROAD SUBDIVISION, IS FREE FROM CERTIFIED TAXES AND CERTIFIED SPECIAL ASSESSMENTS.

TREASURER OF POTTAWATTAMIE COUNTY, IOWA: LEA A. VOSS DATE

DEDICATION:

KNOW ALL PERSONS BY THESE PRESENTS THAT THE 712 INITIATIVE., BEING THE SOLE OWNER OF THE PROPERTY DESCRIBED WITHIN THE LEGAL DESCRIPTION AND EMBRACED WITHIN THIS PLAT, HAS CAUSED SAID PROPERTY TO BE SUBDIVIDED AS LOT 1, LOT 2 AND LOT 3, INCLUSIVE. SAID PROPERTY TO BE KNOWN AS THE ROW ON 1st.

AS PART OF THIS PLATTING, THE 712 INITIATIVE DOES HEREBY DEDICATE TO THE HOMEOWNER'S ASSOCIATION A 5.00 FEET WIDE PERPETUAL SANITARY SEWER EASEMENT ACROSS THE NORTH SIDE OF LOT 1 THROUGH 3 AS SHOWN ON THE DRAWING.

AS PART OF THIS PLATTING, THE 712 INITIATIVE DOES HEREBY DEDICATE A 5.00 FEET WIDE UTILITY EASEMENT ACROSS THE SOUTH SIDE OF LOTS 1 THROUGH 3 AS SHOWN ON THE DRAWING

WE HEREBY CERTIFY THAT WE WILL MEET ALL EQUAL OPPORTUNITY AND FAIR MARKETING OBJECTIVES CONSISTENT WITH FEDERAL, STATE AND LOCAL GUIDELINES. WE HEREBY CERTIFY THAT THE FOLLOWING DOCUMENTS WILL BE RECORDED WITH THE POTTAWATTAMIE COUNTY RECORDER CONTEMPORANEOUSLY WITH THE FILING OF THE FINAL PLAT,

A. PRIVATE RESTRICTIONS AND/OR COVENANTS WILL BE A PART OF THE SUBJECT DEVELOPMENT.
B. CERTIFIED RESOLUTION OF EACH GOVERNING BODY APPROVING THE SUBDIVISION OR WAIVING THE RIGHT TO REVIEW.

IN WITNESS THEREOF, I DO HEREBY RATIFY AND APPROVE OF THE DISPOSITION OF THE 712 INIATIVE PROPERTY AS CONTAINED HEREIN ON THIS

_____DAY OF_____, 2022.

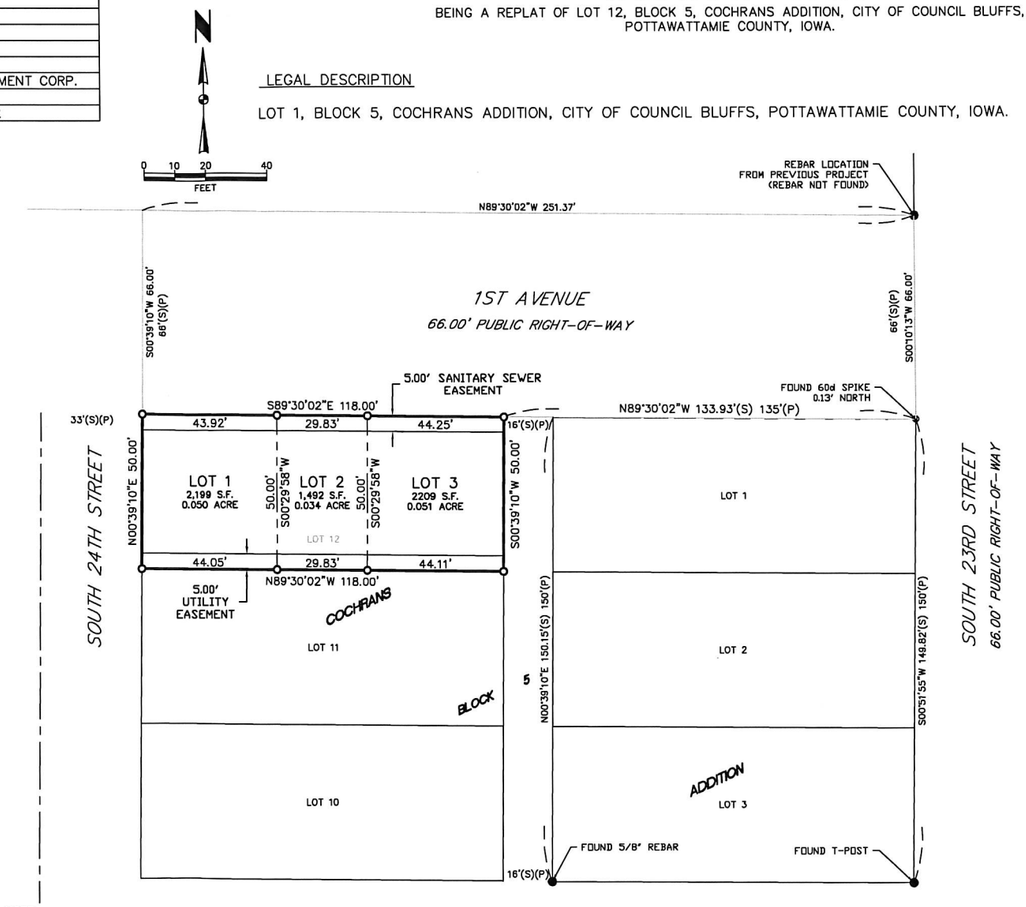
BY: _____
SHERYL GARST CHIEF EXECUTIVE OFFICER

BY: _____
JENNIFER FLETCHER BOARD CHAIR

STATE OF IOWA)
) SS.
COUNTY OF POTTAWATTAMIE)

ON THIS _____ DAY OF_____, 2019, BEFORE ME A NOTARY PUBLIC IN AND FOR THE STATE OF IOWA, PERSONALLY APPEARED SHERYL GARST, TO ME PERSONALLY KNOWN, WHO BEING BY ME DULY SWORN, DID SAY SHE IS THE CHIEF FINANCIAL OFFICER OF THE 712 INITIATIVE, THAT NO SEAL HAS BEEN PROCURED BY SAID THE 712 INITIATIVE, AND THAT SAID INSTRUMENT WAS SIGNED ON BEHALF OF THE 712 INITIATIVE BY AUTHORITY OF THE BOARD AND SAID SHERYL GARST ACKNOWLEDGED THE EXECUTION OF THE INSTRUMENT TO BE THE VOLUNTARY ACT AND DEED OF SAID THE 712 INITIATIVE BY IT VOLUNTARILY EXECUTED.

_____ _____
NOTARY PUBLIC IN AND FOR SAID STATE MY COMMISSION EXPIRES



NOTE:

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.

STATE OF IOWA)
) SS.
COUNTY OF POTTAWATTAMIE)

ON THIS _____ DAY OF_____, 2019, BEFORE ME A NOTARY PUBLIC IN AND FOR THE STATE OF IOWA, PERSONALLY APPEARED JENNIFER FLETCHER, TO ME PERSONALLY KNOWN, WHO BEING BY ME DULY SWORN, DID SAY SHE IS THE BOARD CHAIR OF THE 712 INITIATIVE, THAT NO SEAL HAS BEEN PROCURED BY SAID THE 712 INITIATIVE, AND THAT SAID INSTRUMENT WAS SIGNED ON BEHALF OF THE 712 INITIATIVE BY AUTHORITY OF THE BOARD AND SAID JENNIFER FLETCHER ACKNOWLEDGED THE EXECUTION OF THE INSTRUMENT TO BE THE VOLUNTARY ACT AND DEED OF SAID THE 712 INITIATIVE BY IT VOLUNTARILY EXECUTED.

_____ _____
NOTARY PUBLIC IN AND FOR SAID STATE MY COMMISSION EXPIRES

LEGEND

- ● FOUND PROPERTY PIN AS NOTED
- ○ SET 5/8"x18 REBAR w/ALUMINUM CAP MARKED "HGM ASSOC. PLS 25604"
- (P) PLATTED
- (S) SURVEYED

PROFESSIONAL LAND SURVEYOR
DAVID E. FORSYTHE
25604
IOWA

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

DAVID E. FORSYTHE JUNE 24, 2022
DATE

LICENSE NUMBER 25604

MY LICENSE RENEWAL DATE IS DECEMBER 31, 2022

PAGES OR SHEETS COVERED BY THIS SEAL:
SHEET 1 OF 2 SHEET 2 OF 2

FOR REVIEW

hgm ASSOCIATES INC.
640 FIFTH AVENUE COUNCIL BLUFFS, IOWA
PHONE: (712) 323-0530

DEF date
DEF designed
DEF approved
JUNE'22 date
revision

project THE ROW ON 1ST
REPLAT LOT 12, BLK 5 COCHRANS ADDITION
client THE 712 INITIATIVE
1228 SOUTH MAIN STREET, COUNCIL BLUFFS, IA 51503
sheet REPLAT

project no. 106822
sheet 1 OF 1

Attachment B

THE 712 INITIATIVE

August 19, 2022

City of Council Bluffs
Christopher Gibbons
209 Pearl Street
Council Bluffs, IA 51570

Subject: Letter of Intent – The Row on 1st Development Plan

Dear Mr. Gibbons,

Through our Housing Revitalization Program, The 712 Initiative is working to improve the quality and increase the diversity of the city's housing stock. We are proposing to develop the parcel located at the SE corner of S 24th Street and 1st Avenue. The proposed development is a 3-unit townhome, as allowed under the PR-2 Overlay. Completed units would be sold for owner occupancy.

The lot has been vacant for some time. The proposed development will bring housing, energy, and tax revenue to the community. The 2-story structure will be compatible with the surrounding residential development and provide an alternative method for redeveloping in an older residential area.

Site Details:

1. Utilities exist adjacent to the site and support existing development. All new utilities will be installed for the townhomes as part of construction (see Utility Exhibit – G.02). No gas connection is proposed for this development. A condo association will address utility maintenance and landscaping.

2. No area is being considered for dedicated public use.

3. No signage other than address/house number are being proposed.

4. Outdoor lighting will be limited to typical single-family exterior lighting. No light poles are being proposed.

A construction timeline is attached. No phasing of this site is anticipated. While we hope to complete site prep (as noted in the Geotechnical Exploration Report) this fall, the foundation and construction will happen in 2023.

Off-street parking may be utilized for the middle unit (Lot 2). However, additional parking is being addressed with Hy-Vee. The 712 has requested 4 dedicated spaces in Hy-Vee's parking lot to the west. This request has support from the local store and is currently being considered by Hy-Vee Corporate.

Also included with this letter is:

- Attachment A: Townhome Concept

- Attachment B: Construction Timeline
- Attachment C: Replat
- Attachment D: Preliminary Development Plan
- Attachment E: Geotechnical Exploration Report

The 712 Initiative is excited to bring these units to the Council Bluffs market. Please review and let us know what questions you have. You can contact me at sgarst@the712initiative.org or by phone at (712) 396-2464.

Sincerely,

Sheryl Garst
CEO

Attachment C

DEVELOPMENT PLAN

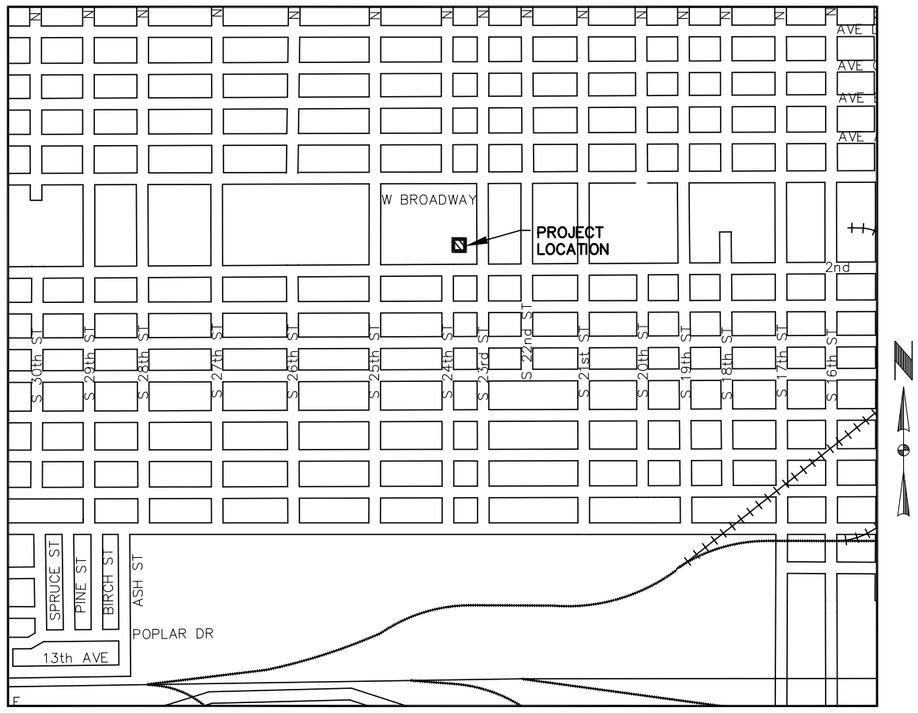
THE ROW ON 1ST

RESIDENTIAL OVERLAY OF LOTS 1 THRU 3 INCLUSIVE

VERTICAL CONTROL

BENCHMARK OF ORIGIN: NGS P 127 NAVD '88 ELEV.=1011.00'

IN COUNCIL BLUFFS, 1.5 MILES WEST ALONG THE UNION PACIFIC RAILROAD FROM THE STATION AT COUNCIL BLUFFS, ABOUT 0.6 MILE EAST OF THE EAST END OF THE RAILWAY BRIDGE OVER THE MISSOURI RIVER, SET IN THE NORTH CORNER OF THE EAST ABUTMENT BRIDGE NO. 1.46, 12 FEET NORTH OF THE CENTERLINE OF THE NORTH TRACK, 1 FOOT BELOW TRACK LEVEL



VICINITY MAP – NO SCALE

CURRENT OWNER/DEVELOPER:

THE 712 INITIATIVE
1228 S MAIN ST
COUNCIL BLUFFS, IA 51503

ENGINEER:

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

ZONING:

EXISTING ZONING OF
PROPOSED TOWNHOME SUBDIVISION
IS CLASS R-3, CITY FOR LOTS 1-3

EXISTING FLOOD PLAIN:

MISSOURI RIVER FLOOD PLAIN
FEMA FLOOD ZONE – AREA PROTECTED FROM THE 1% ANNUAL CHANCE FLOOD BY LEVEE, DIKE OR OTHER STRUCTURE SUBJECT TO FAILURE DURING LARGER FLOODS

STORM WATER DETENTION:

NONE

BOUNDARY SURVEY:

BOUNDARY SURVEY WILL BE PROVIDED BY HGM ASSOCIATES INC.

NOTES:

PROPOSED SEWER: CONSTRUCT PRIVATE LATERAL CONNECTIONS.

PROPOSED WATER: CITY WATER
CONNECTIONS TO EXISTING WATER MAIN

DEDICATION OF R-O-W: NO

SURFACE RUNOFF: TO EXISTING STORM SEWER

EASEMENTS: A 5.00 FOOT WIDE PERMANENT EASEMENT ON NORTH AND SOUTH LOT LINES ARE RESERVED FOR THE INSTALLATION AND MAINTENANCE OF UTILITIES.

SPECIFICATIONS

THE URBAN STANDARD SPECIFICATIONS FOR PUBLIC IMPROVEMENTS, 2022, AND CITY OF COUNCIL BLUFFS SUPPLEMENTAL SPECIFICATIONS 2022, SHALL APPLY TO THIS PROJECT.

INDEX

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

LEGAL DESCRIPTION:

BEING A REPLAT OF LOT 12, BLOCK 5, COCHRANS ADDITION, CITY OF COUNCIL BLUFFS, POTTAWATTAMIE COUNTY, IOWA.

LICENSED PROFESSIONAL ENGINEER
JOHN E. JORGENSEN
12855
IOWA

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

My license renewal date is December 31, 2023.

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

this drawing is being made available by hgm associates inc. for use on this project in accordance with hgm associates inc. agreement for professional services. hgm associates inc. assumes no liability for any use of this drawing on any other project except in accordance with the terms of the above agreement.

hgm ASSOCIATES INC.
640 FIFTH AVENUE COUNCIL BLUFFS, IOWA
PHONE: (712) 323-0530

JNS drawn	BJR designed	JEJ approved	JUNE'22 date

revision

project THE ROW ON 1ST
client THE 712 INITIATIVE
1228 S MAIN ST COUNCIL BLUFFS, IA
sheet TITLE SHEET

project no. 106822
sheet A.01

S:\Blue_Team\Projects\106822 100 S 24TH STREET\Engineering\Dwgs\Design\106822 DESIGN.dwg, 6/23/2022 11:02:14 AM, Adobe PDF

hgm:
fb:

fb: hgm:

project no. 106822
sheet A.02

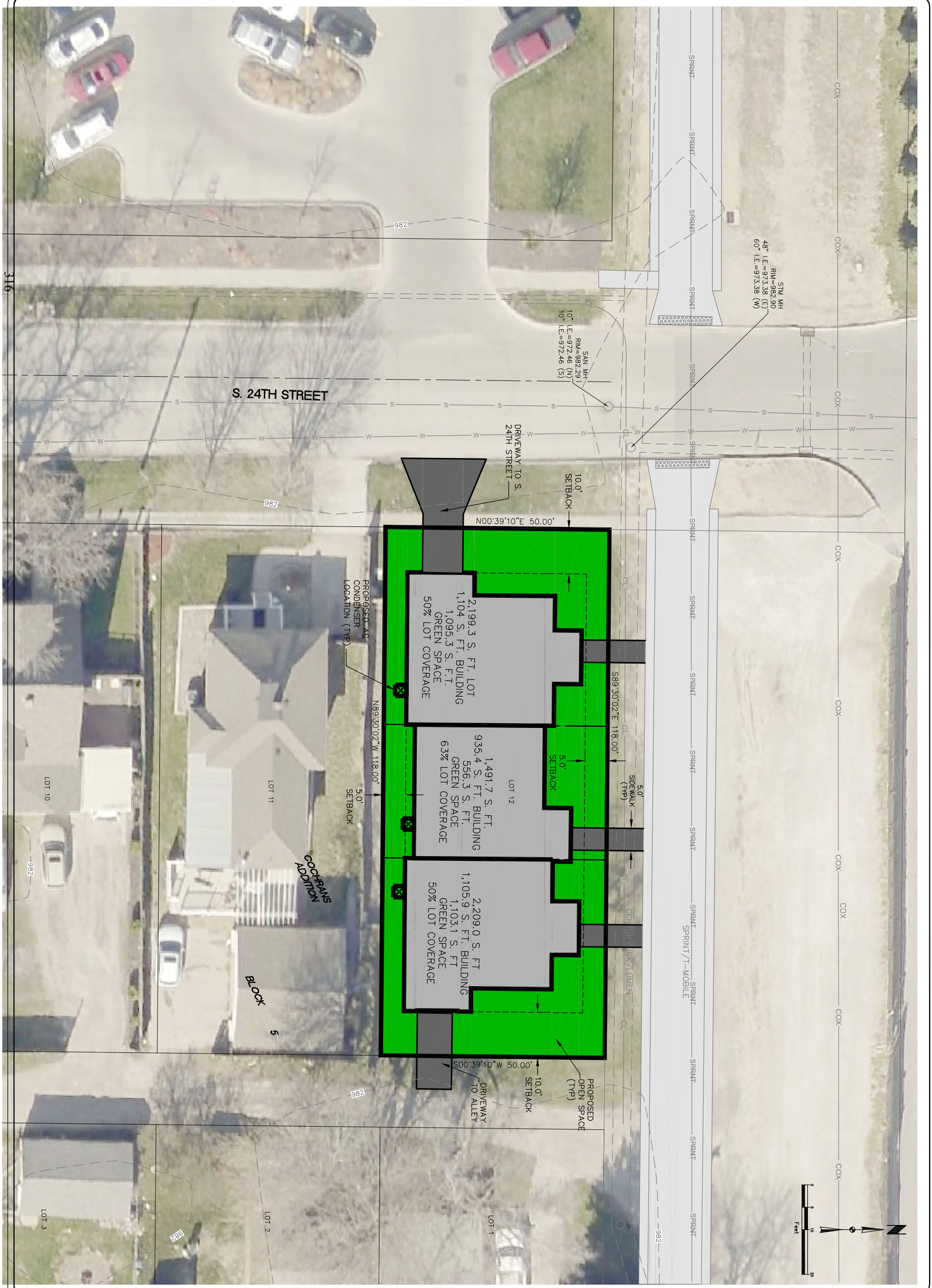
project THE ROW ON 1ST
client THE 712 INITIATIVE
1228 S MAIN ST COUNCIL BLUFFS, IA
sheet **AREA MAP**

JNS	drawn	
BJR	designed	
JEJ	approved	
JUNE'22	date	revision date

hgm
ASSOCIATES INC.
640 FIFTH AVENUE COUNCIL BLUFFS, IOWA
PHONE: (712) 323-0530

this drawing is being made available by hgm associates inc. for use on this project in accordance with hgm associates inc. agreement for professional services. hgm associates inc. assumes no liability for any use of this drawing or any part thereof except in accordance with the terms of the above agreement.

fb: hgm:



project no.	106822
sheet	G.01
project	THE ROW ON 1ST
client	THE 712 INITIATIVE 1228 S MAIN ST COUNCIL BLUFFS, IA
sheet	SITE EXHIBIT

JNS	drawn	
BJR	designed	
JEJ	approved	
JUNE'22	date	revision date

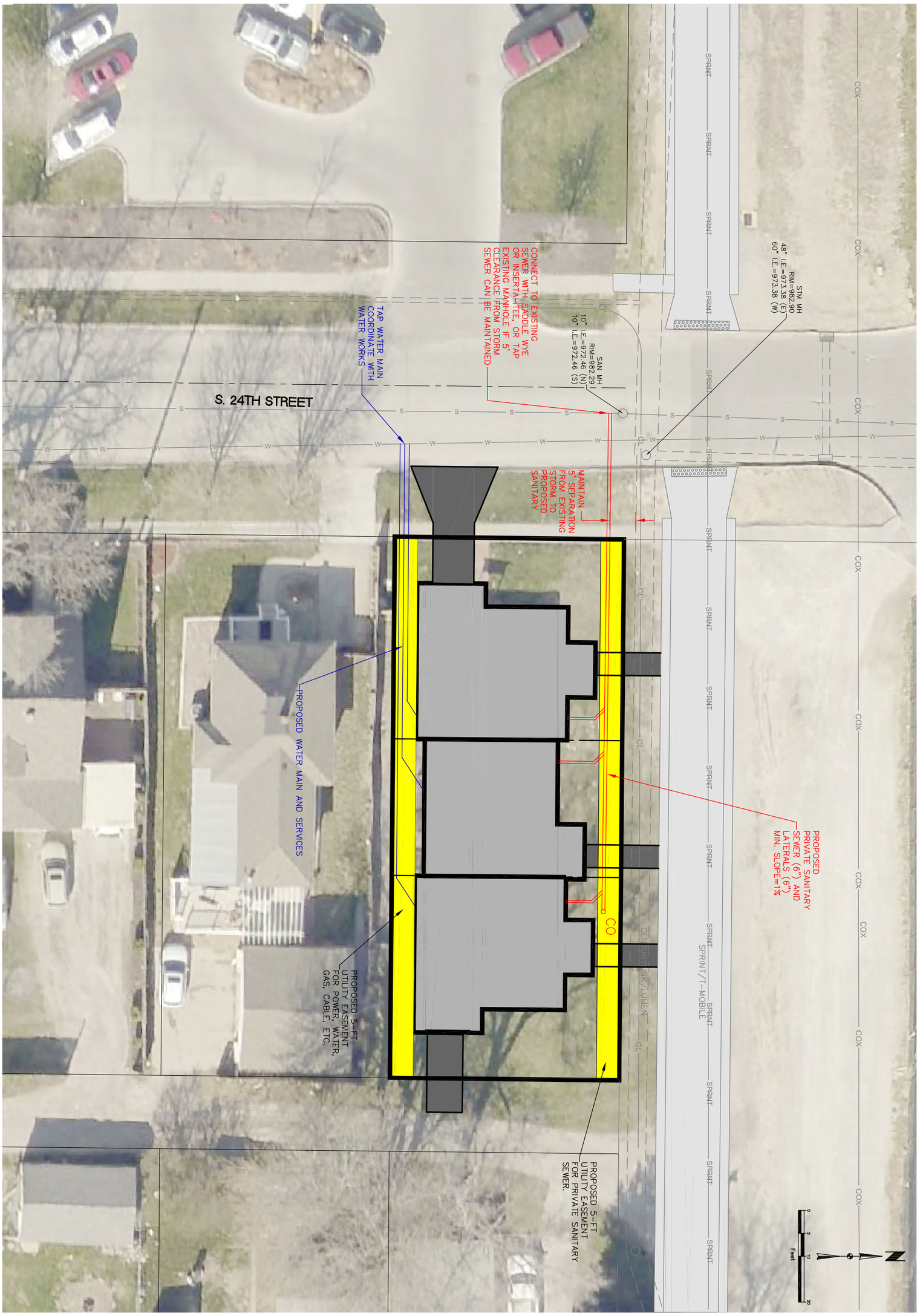
hgm ASSOCIATES INC.
640 FIFTH AVENUE COUNCIL BLUFFS, IOWA
PHONE: (712) 323-0530

this drawing is being made available by hgm associates inc. for use on this project in accordance with hgm associates inc. agreement for professional services. hgm associates inc. assumes no liability for any use of this drawing or any part thereof except in accordance with the terms of the above agreement.

S:\Blue_Team\Projects\106822 100 S 24TH STREET\Engineering\Dwgs\Design\106822 DESIGN.dwg, 6/22/2022 8:07:13 AM, 300 Adobe PDF reduced.pc3

fb: hgm:

317



project no. 106822
sheet G.02

project THE ROW ON 1ST
client THE 712 INITIATIVE
1228 S MAIN ST COUNCIL BLUFFS, IA
sheet UTILITY EXHIBIT

JNS	drawn	
BJR	designed	
JEJ	approved	
JUNE'22	date	revision date

hgm ASSOCIATES INC.
640 FIFTH AVENUE COUNCIL BLUFFS, IOWA
PHONE: (712) 323-0530

this drawing is being made available by hgm associates inc. for use on this project in accordance with hgm associates inc. agreement for professional services. hgm associates inc. assumes no liability for any use of this drawing or any part thereof except in accordance with the terms of the above agreement.

402-572-6968

DESIGNER IS NOT AN ARCHITECT OR ENGINEER. DESIGNER MAKES NO WARRANTY OR REPRESENTATION WHATSOEVER AS TO THE SUITABILITY OF THESE PLANS FOR YOUR SPECIFIC SITE. YOU SHOULD CONSULT YOUR OWN ARCHITECT OR ENGINEER FOR PROFESSIONAL ADVICE AS TO WHETHER THESE PLANS ARE SUITABLE FOR YOUR SPECIFIC SITE.

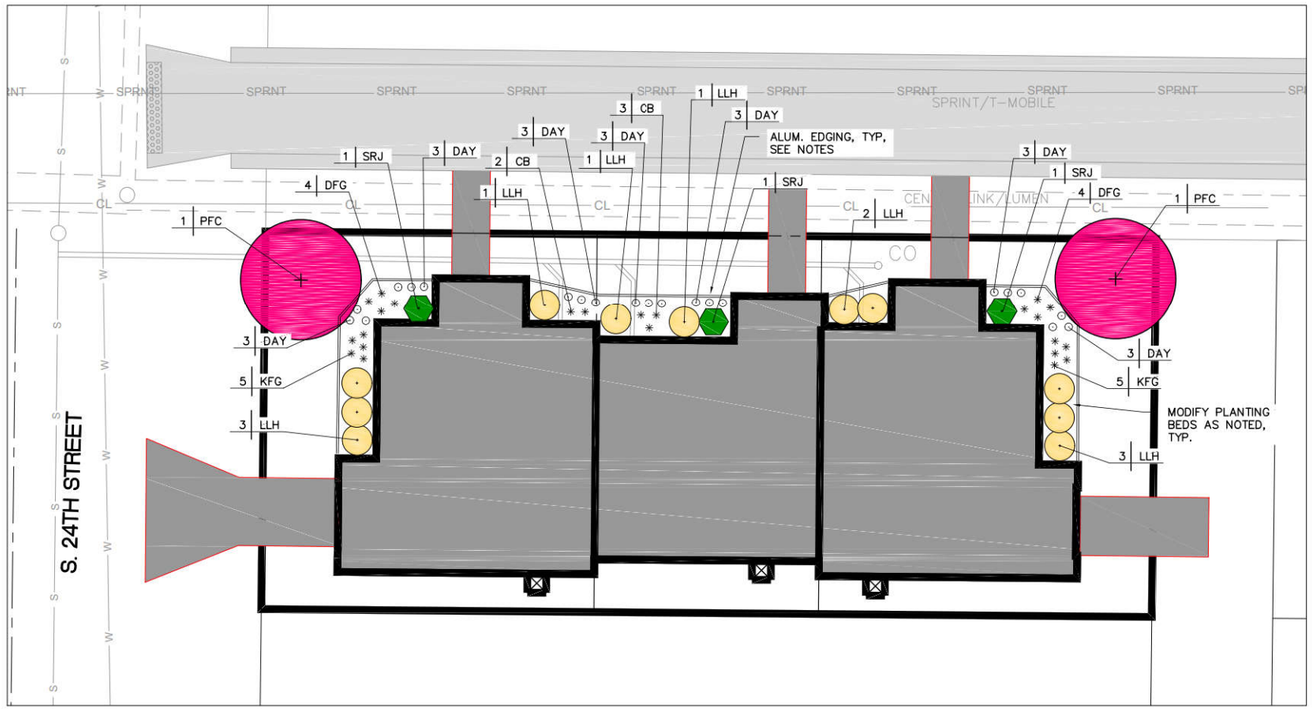
The 712 Initiative
The Row on First

ALL RIGHTS RESERVED © 2016

TMK & Associates
Residential Design Services
402-572-6968

OF

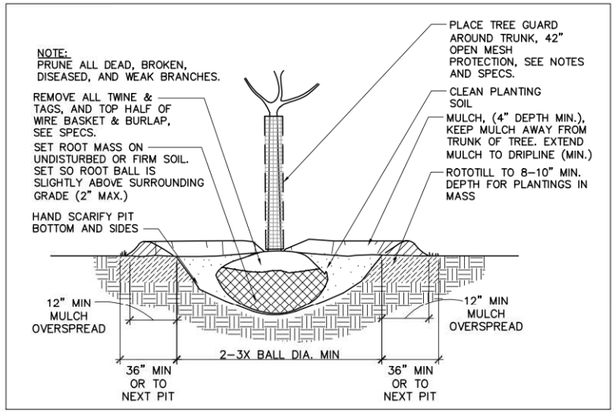
Attachment E



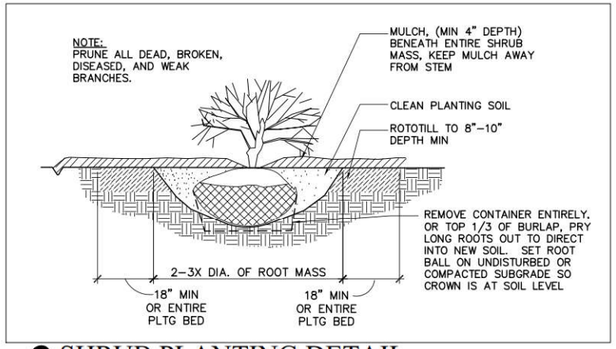
1 OVERALL LANDSCAPE PLAN
SCALE: 1" = 10'-0"

0 5' 10' 20'

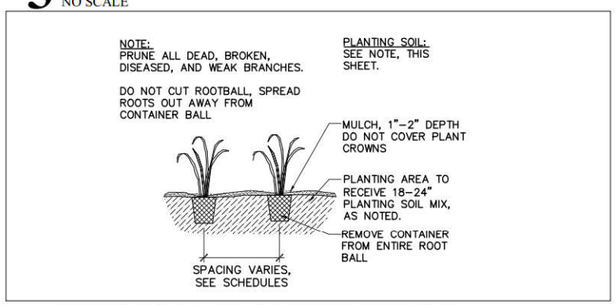
N



2 TREE PLANTING DETAIL
NO SCALE



3 SHRUB PLANTING DETAIL
NO SCALE



4 PERENNIAL PLANTING DETAIL
NO SCALE

PLANTING SCHEDULE

KEY	QTY	BOTANICAL NAME	COMMON NAME	SIZE	DESCRIPTION
ORNAMENTAL TREES					
PFC	2	Malus 'Prairifire'	Prairiefire Crabapple	2" CAL.	B&B
SHRUBS					
LLH	11	Hydrangea paniculata 'Little Lime'	Little Lime Hydrangea	24"	CONTAINER
SRJ	3	Juniperus scopulorm 'Skyrocket'	Skyrocket Juniper	36"	CONTAINER
PERENNIALS					
DAY	21	Hemerocallis 'Happy Returns'	Happy Returns Daylily	1 GAL	CONTAINER
KFG	10	Calamagrastis x acutiflora 'Karl Foerster'	Karl Foerster Reed Grass	1 GAL	CONTAINER
DFG	8	Pennisetum alopecuroides 'Hameln'	Hameln Dwarf Fountain Grass	1 GAL	CONTAINER
CB	5	Heuchera micrantha 'Palace Purple'	Palace Purple Coral Bells	1 GAL	CONTAINER

PLANTING NOTES:

1. ALL WORK SHALL BE COORDINATED WITH THE WORK OF OTHER TRADES.
2. LOCATE AND FLAG ALL UNDERGROUND UTILITIES PRIOR TO ANY CONSTRUCTION. ANY DAMAGE TO UTILITIES OR OTHER SITE IMPROVEMENTS CAUSED BY CONTRACTOR SHALL BE REPAIRED AT NO COST TO THE OWNER.
3. ALL PLANT MATERIALS MUST CONFORM TO AMERICAN STANDARDS FOR NURSERY STOCK (A.S.N.S.), LATEST EDITION PUBLISHED BY THE AMERICAN ASSOCIATION OF NURSERYMEN, WASHINGTON D.C.
4. LARGER SIZED PLANT MATERIALS OF THE SPECIES LISTED MAY BE USED IF THE STOCK CONFORMS TO THE A.S.N.S. ALL SPECIES SUBSTITUTIONS MUST BE APPROVED IN WRITING BY THE LANDSCAPE ARCHITECT.
5. THE LOCATIONS OF PLANT MATERIAL IS CRITICAL AND SHALL BE INSTALLED AS INDICATED ON THE DRAWINGS. STAKE LOCATION OF PLANT MATERIALS AND OBTAIN APPROVAL OF LANDSCAPE ARCHITECT PRIOR TO INSTALLATION. DO NOT PLANT TREES OR SHRUBS IN SWALE AREAS.
6. THE LANDSCAPE CONTRACTOR SHALL REMOVE ALL CONSTRUCTION DEBRIS AND MATERIALS INJURIOUS TO PLANT GROWTH FROM PLANTING PITS AND BEDS PRIOR TO BACKFILLING WITH PLANTING MIX.
7. PLANTING SOIL MIX CONTINUOUS PLANTING BEDS, EXCAVATE AREAS FOR NEW PLANTING SOIL OF CLEAN LOAM TOPSOIL AND 1" COMPOST MATERIAL MIXED THOROUGHLY TO A DEPTH OF 18" MIN. THIS TO BE COMPLETED AFTER RESTORATION OF THE AREA TO REMOVE HARD PAN OR COMPACTED AREAS.
8. PROVIDE SHREDDED HARDWOOD MULCH IN ALL PLANT SAUCERS AND PLANTING BEDS TO A 4–INCH MINIMUM DEPTH. APPLY PRE–EMERGENT TO ALL PLANTING BEDS PRIOR TO MULCHING. PROVIDE BROWN–COLORED MULCH.
9. ALL EXISTING TURF AREAS DISTURBED BY CONSTRUCTION SHALL BE SODDED. SEE DRAWINGS AND SPECIFICATIONS. AREAS DISTURBED AND NOT SHOWN TO BE SODDED, SHALL BE SEEDED AND BLANKETED.
10. SODDED AREAS SHALL MATCH ELEVATION OF EXISTING TURF GRASS. CUT EXISTING TURF IN STRAIGHT LINES TO BUTT TIGHT THE EDGES OF THE NEW SOD AT SAME ELEVATION. NO OVERLAP WILL BE ACCEPTED.
11. OWNER RESERVES THE RIGHT TO SUBSTITUTE PLANT MATERIAL TYPE, SIZE, AND/OR QUANTITY.
12. FIELD ADJUSTMENTS MAY BE NECESSARY BASED UPON FIELD CONDITIONS (I.E. ROOT BALL AND DROP INLET CONFLICT). CONFIRM LOCATION OF ALL UNDERGROUND STORAGE CELLS PRIOR TO PLANTING. ALL ADJUSTMENTS MUST BE APPROVED BY THE LANDSCAPE ARCHITECT.
13. ALL DEMOLISHED AND/OR REMOVED ITEMS SHALL BE HAULED COMPLETELY AWAY FROM THE SITE BY THE CONTRACTOR.
14. ALUM. EDGING SHALL BE CLEANLINE, 3/16"x 5–1/2" ALUMINUM EDGING WITH STAKING (BLACK ANODIZED FINISH) AS MANUFACTURED BY PERMALOC CORPORATION OR APPROVED EQUIVALENT.

STATE OF IOWA
TODD M. MAIELLARO
PROFESSIONAL LANDSCAPE ARCHITECT

REDUCED TO HALF SCALE

this drawing is being made available by hgm associates inc. for use on this project in accordance with the agreement. hgm associates inc. agreement for professional services. hgm associates inc. assumes no liability for any use of this drawing on any project except in accordance with the terms of the above agreement.

hgm ASSOCIATES INC.
640 FIFTH AVENUE COUNCIL BLUFFS, IOWA
PHONE: (712) 323–0530

drawn	TMM	date
designed	TMM	
approved	JEJ	
date	JUNE '22	revision

project THE ROW ON 1ST
client THE 712 INITIATIVE
1228 S MAIN ST COUNCIL BLUFFS, IA
sheet LANDSCAPE PLAN

project no. 106822
sheet L.01

fb: hgm:

Attachment F

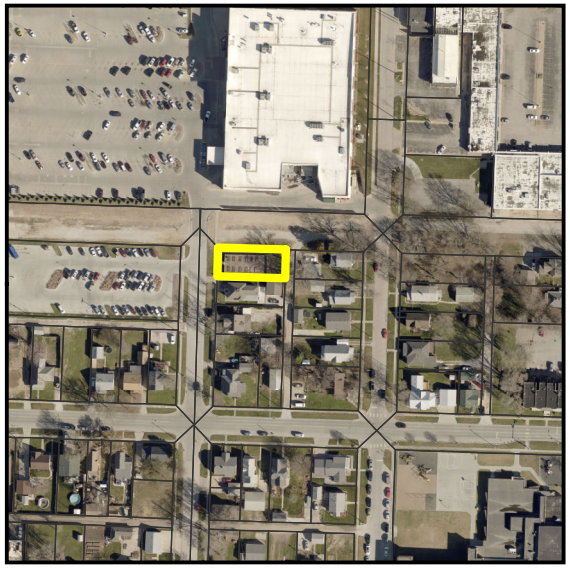
CITY OF COUNCIL BLUFFS - CITY PLANNING COMMISSION
CASE #PR-22-004 ZONING/LOCATION MAP

Legend

- Subject Property Case #PR-22-004
- Parcels

0 37.5 75

1 inch = 72 feet

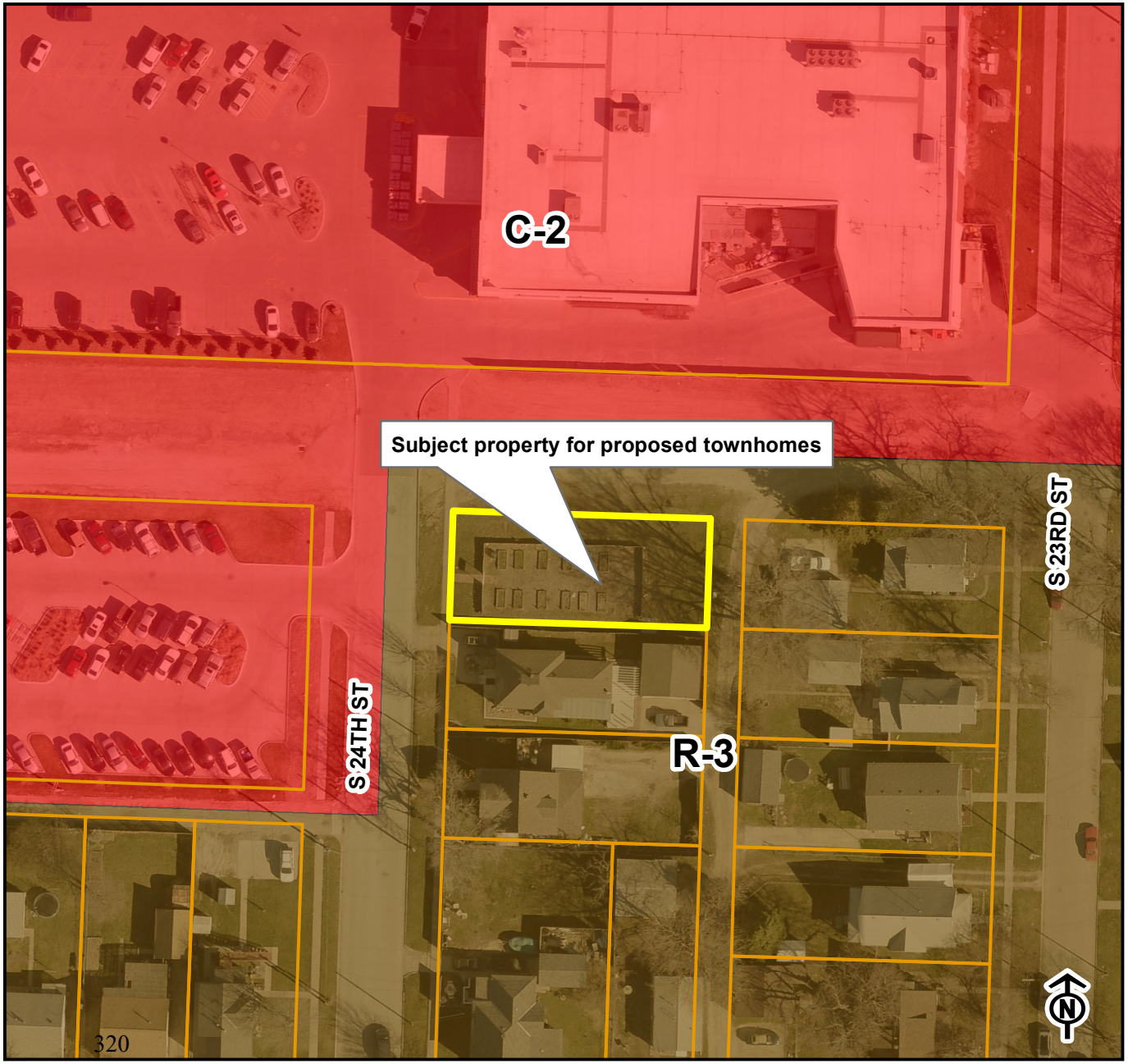


Last Amended: 9/16/2022

Council Bluffs Community Development Department
209 Pearl Street
Council Bluffs, IA 51503
Telephone: (712) 890-5350

DISCLAIMER

This map is prepared and compiled from City documents, plans and other public records data. Users of this map are hereby notified that the City expressely denies any and all responsibilities for errors, if any, in the information contained on this mapof the misuse 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.



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 Pottawattamie County Development Corporation d/b/a The 712 Initiative to append a PR-2/Planned Residential Overlay and adopt the associated planned residential development plan for three townhomes in an R-3/Multi-Family Residential District, on property legally described as Lot 12, Block 5, Cochran's Addition, City of Council Bluffs, Pottawattamie County, Iowa, as defined in Chapter 15.28 of the Municipal Code of Council Bluffs, Iowa.

You are further notified that the 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 14th day of November, 2022 in the City Council Chambers, 2nd 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

EXHIBIT 1

The Rows on 1st PR/Planned Residential Development Plan

A. Site Development

1. Per Section 15.28.020, Applicability, of the CBMC, the maximum land area allowed for a PR-2 Overlay is 1.5 acres. The subject properties contain a total of 0.14 acres, which qualifies for use of a PR-2 Overlay.
2. Per Section 15.28.020, Applicability, of the CBMC, *"at least one of the following shall be included within the development:*
   a. A minimum of two (2) residential structures.
   b. A minimum of one (1) residential structure that contains a minimum of three (3) dwelling units.
   c. A minimum of one (1) mixed commercial-residential structure."
   The proposed development contains one residential structure with three dwelling units and therefore qualifies for use of a PR-2 Overlay.

3. For the purpose of this development plan, the north property line facing First Avenue shall be considered the front property line and the west property line along S. 24th Street shall be considered the street side yard property line. The following site development standards shall apply to the proposed townhome development:
   a. The front and rear yard setback shall be five (5) feet. No accessory structures shall be located between the front wall of the townhome and the front property line.
   b. The interior and street side yard setback shall be ten (10) feet.
   c. Accessory structures, decks, porches, awnings, or other similar features, shall be no closer than five (5) feet to any property line.
   d. The maximum lot coverage for the entire property shall be 60 percent.
4. No fencing or walls are proposed at this time. Any fencing or walls installed at a future date shall comply with the standards stated in Section 15.32A.130, Fences and Walls, of the Council Bluffs Municipal Code (Zoning Ordinance).
5. All utilities shall be installed underground. Any cost to remove, relocate, modify, and/or extend utilities to this site shall be at the sole cost of the developer and not the City.
6. A five-foot utility easement shall be retained along the front and rear property lines for utility access and maintenance. No structures shall be located within said easement areas.
7. A homeowner's association (HOA) shall be established through the subdivision process for maintenance of utilities and easements, all greenspace area, and building architecture.

B. Off-Street Parking

1. Per Section 15.23.060, Parking Spaces Required, of the Council Bluffs Municipal Code (Zoning Ordinance) the required number of off-street parking spaces for townhomes is 2 spaces per dwelling unit. The three proposed townhomes would require a total of six (6) off-street parking spaces. The proposed floor plans show the end units having one, one car attached garage each, with no attached parking provided for the middle unit. The submitted letter of intent states that the applicant and HyVee are working on a shared parking agreement for four (4) parking spaces. A total of six (6) off-street parking spaces are being provided total for the proposed townhomes, which meets the total minimum required. The parking spaces leased from HyVee shall be located within 400 feet of the front entrance to the middle unit to ensure that this unit has parking within a reasonable walking distance. No additional off-street parking shall be provided on-site, unless first approved by the Community Development and Public

Works Departments. Additionally, the subject property is located within walking distance of a Metro bus stop.

2. A copy of the shared parking agreement between the applicant and HyVee shall be provided to the City prior to issuance of any building permits.
3. All driveways shall be hard surfaced paved and designed to meet all applicable City standards.

C. Architecture

1. The submitted elevations, included as Attachment 'D', show the front façade utilizing smooth hardboard siding as the primary material. The primary colors proposed are white and a dark gray/charcoal. Architectural aluminum siding with a wood appearance is shown as an accent material around the entrance to each unit. Each unit will have a second story balcony with a cable railing over the front entrance, which is covered by a portico. The front façade is further characterized by differing roof elevations between the end and middle units and a galvanized metal roof. All siding shall be non-vinyl siding. The proposed architectural plans are generally acceptable in design and layout and shall be adopted as submitted.
2. The submitted site plan shows air conditioning units for each unit along the rear of the property. If any wall or ground equipment, including air conditioning units, are visible from adjacent public right-of-way, excluding alleys, they shall be screened from view using architectural features, fencing, masonry wall, landscaping, or a combination thereof.
3. The subject property is located within the West Broadway CDO. While the townhomes are not subject to the full extent of the West Broadway CDO design standards, the proposed townhomes shall utilize high-quality materials and be designed in a manner that is consistent with the spirit and intent of the West Broadway CDO.
4. Minor modifications deemed to be compatible with the West Broadway CDO design standards listed in Section 15.32A, *West Broadway Corridor Design Overlay*, of the Council Bluffs Municipal Code (Zoning Ordinance) shall be approved administratively by the Community Development Director or their designee.

D. Landscaping

1. The submitted landscaping plan, included as Attachment 'D', shows a mixture of trees, shrubs, and perennial flowers and grasses along the west, north, and east building elevations is generally acceptable and shall be adopted as submitted.
2. All tree species shall be reviewed and approved by the Parks and Recreation Department prior to planting to ensure there is no conflict with First Avenue trail plantings.
3. All landscaping shall be appropriately maintained and dead plant material replaced at a time appropriate to planting seasons but in all cases shall be replaced within one year.

E. Signage

1. A signage plan was not submitted with the development plan. All signage (detached and attached) shall comply with Section 15.33.160(C), P-R/Planned Residential District Sign Regulations, of the Municipal Code (Zoning Ordinance).

ORDINANCE NO. 6527

AN ORDINANCE TO AMEND THE ZONING MAP OF THE CITY OF COUNCIL BLUFFS, IOWA, AS ADOPTED BY REFERENCE IN SECTION 15.27.020 OF THE 2020 MUNICIPAL CODE OF COUNCIL BLUFFS, IOWA, BY APPENDING A PLANNED RESIDENTAL-2 OVERLAY AND ADOPTING THE ASSOCIATED DEVELOPMENT PLAN FOR THREE TOWNHOMES IN AN R-3/MULTI-FAMILY RESIDENTIAL DISTRICT, ON PROPERTY LEGALLY DESCRIBED AS LOT 12, BLOCK 5, COCHRAN'S ADDITION, CITY OF COUNCIL BLUFFS, POTTAWATTAMIE COUNTY, IOWA, AS SET FORTH AND DEFINED IN CHAPTER 15.28 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 2020 Municipal Code of the City of Council Bluffs, Iowa, be and the same is hereby amended by appending a Planned Residential-2 Overlay and adopting the associated development plan for three townhomes in an R-3/Multi-Family Residential District, on property legally described as Lot 12, Block 5, Cochran's Addition, City of Council Bluffs, Pottawattamie County, Iowa, as defined in Chapter 15.28 of the Municipal Code of Council Bluffs, Iowa.

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.

Planning Case No. #PR-22-004

ADOPTED
AND November 14, 2022.
APPROVED

_____

MATTHEW J. WALSH Mayor

Attest:

_____

JODI QUAKENBUSH City Clerk

First Consideration: 10-24-22
Second Consideration: 11-14-22
Public Hearing: 11-14-22
Third Consideration: waived

Planning Case No. #PR-22-004

Council Communication

Department: City Clerk
Case/Project No.: ZT-22-008
Submitted by: Brandon Siracuse, Planner

Ordinances 6528 and 6529
ITEM 6.B.

Council Action: 11/28/2022

Description

Ordinance 6528 to amend Chapter 15.16, C-3/Commercial District, by amending Section 15.16.060 "Additional Regulations."

Ordinance 6529 to amend Chapter 15.23, Off-Street Parking, Loading and Unloading, by amending Section 15.23.020 "General Provisions" and Section 15.23.030 "Design Standards."

Background/Discussion

See attached staff report.

Recommendation

ATTACHMENTS:

Description	Type	Upload Date
Staff Report	Staff Report	10/14/2022
Attachment A: Proposed Chapter 15.16, C-3/Commercial District	Code Section	10/14/2022
Attachment B: Proposed Chapter 15.23, Off-Street Parking, Loading and Unloading	Code Section	10/14/2022
Public Hearing Notice	Notice	10/14/2022
Ordinance 6528	Ordinance	10/18/2022
Ordinance 6529	Ordinance	10/18/2022

City Council Communication

Department: Community Development CASE #ZT-22-008 Applicants: Ryan Adkins 104 Crogans Way Circle Council Bluffs, Iowa 51501 City of Council Bluffs 209 Pearl Street Council Bluffs, IA 51503	Ordinance No. _____	City Council 1st Consideration: 10/24/22 2nd Consideration: 11/14/22 3rd Consideration: 11/28/22 Planning Commission: 10/11/22

Subject/Title

Request: Public hearing on the request of Ryan Adkins to amend the following sections of Title 15: Zoning of the Council Bluffs Municipal Code: Section 15.23.020(F), *General Provisions*, relative to hard surface parking standards; Section 15.23.030(A)(2), *Design Standards*, by reducing hard surface pavement standards for certain farm operation uses in the A-2/Parks, Open Space and Agricultural District; and on the request of the City of Council Bluffs to amend the following sections of Title 15: Zoning of the Council Bluffs Municipal Code: Section 15.23.020(B), *General Provisions*, by increasing the maximum distance certain off-site parking facilities may be located relative to the uses they serve; Section 15.23.020(F), *General Provisions*, relative to hard surface parking standards; Section 15.23.030(A)(2), *Design Standards*, by changing the standard rock base depth for asphalt cement concrete parking and loading areas associated with non one- and two-family uses; and Section 15.16.060, *Additional Regulations*, relative to parking and loading requirements for developments within the C-3/Commercial District.

Background

Ryan Adkins is requesting to amend Title 15: Zoning of the Council Bluffs Municipal Code as follows:

1. Amend Section 15.23.020(F), General Provisions, by updating language relative to hard surface pavement requirements for parking and loading areas; and
2. Amend Section 15.23.030(A)(2), Design Standards, by reducing hard surface pavement requirements for parking and loading areas associated with certain non-industrial and non-commercial scale farming operations.

Additionally, the Community Development Department is requesting to amend Title 15: Zoning of the Council Bluffs Municipal Code as follows:

1. Amend Section 15.23.020(B), *General Provisions*, by updating the distance that off-site parking facilities may be located from the uses they serve;
2. Amend Section 15.23.020(F), *General Provisions*, by updating language relative to hard surface pavement requirements for parking and loading areas;
3. Amend Section 15.23.030(A)(2), *Design Standards*, by changing the standard rock base depth for asphalt cement concrete parking and loading areas associated with non one- and two-family uses; and

4. Amend Section 15.16.060, *Additional Regulations*, by updating the parking and loading requirements for developments within the C-3/Commercial District such that the standards match those of the C-4/Commercial District.

Ryan Adkins (applicant) is the owner of a family farming operation within City limits and has approached the City about reducing hard surface pavement standards for farming operations that are non-industrial and non-commercial in nature within the City, such that these farming uses may use a lower quality surface material for parking and loading areas associated with the agricultural operations on the property. The applicant proposed allowing parking and loading surfaces for such agricultural uses to be constructed with crushed Portland cement concrete or crushed asphalt cement concrete. The applicant has requested this change because paving large areas for parking, loading, and circulation of agricultural machines to current standards is "financially unrealistic." In addition, the hard surfaces currently required by City code would not hold up to the weight of farm equipment over time and can create stormwater drainage and access issues. A material such as crushed Portland cement concrete or crushed asphalt cement concrete would provide more longevity, easier maintenance, and better drainage for non-industrial and non-commercial farming operations.

In addition, the City of Council Bluffs is proposing amendments to various parking standards. The Community Development Department is proposing certain changes that will help better facilitate developments in the City's downtown business district, and the Public Works Department has suggested minor changes to some pavement standards. These changes are presented in detail in the "Discussion" section.

All City Departments and local utilities were notified of the proposed text amendments. No adverse comments have been received.

Discussion

A. *Section 15.23.020 General Provisions*

B. *Contractual agreements may be made between uses which generate parking and at different intervals in such a manner that the requirements of more than one use may be met by the same space, provided the parking demand for each use involved is met. All other required parking spaces shall be located a distance not to exceed four hundred (400) feet from the building or use which they are required to serve, measured in a straight line from the building. Off-site parking owned by or affiliated directly with the owner of the use it serves may be located up to one thousand three hundred twenty (1,320) feet from the use it serves, measured in a straight line from the building.*

F. *All off-street parking lots and areas, sales lots and loading and unloading spaces, including entrances, exits and driveway approaches shall be constructed of hard surface concrete, ~~brick~~ concrete pavers, or asphalt, unless otherwise stated in this chapter, to prevent mud, dust, or loose material. Asphalt grindings and seal coats are not acceptable surfaces. Paving standards contained in this section should be considered minimum standards.*

The purpose of the revisions to subsection (B) is to enable both new and existing developments to utilize off-site parking located up to ¼-mile away from the use it serves, provided the off-site parking facility is wholly owned or affiliated with the use it serves. A ¼–mile maximum distance is proposed because it is generally an acceptable walking distance. The ability to utilize off-site parking within walking distance of a building will be particularly useful in the downtown context where space for new parking lots on-site may be limited. However, the proposed changes above may be used elsewhere in the City when and where feasible as well.

The proposed changes to subsection (F) aim to change the "brick" pavement type currently allowed for parking surfaces to "concrete pavers" as per the request of the Public Works Department and to clarify that

the hard surface pavement types listed in the *General Provisions* section are required unless otherwise specified. These changes will bring the parking surface requirements into alignment with engineering standards adopted by the Public Works Department and accommodate the proposed exception to hard-surface paving requirements associated with certain farming operations.

B. *Section 15.23.030 Design Standards*

A. General Use Parking and Traveled Areas Including All Required and Nonrequired Parking, Driveways, Entrances and Exists, Vehicles or Sales.

2. *Pavement Requirements. Five inches of Portland cement concrete or ~~four~~ six inches rock base with four inches of asphalt cement concrete. The standards should be considered a minimum. Actual pavement design shall be based on consideration of traffic loadings, soil support capability and material specifications.*

a. Lower quality surface materials, such as crushed Portland cement concrete or crushed asphalt cement concrete, may be used for parking, drive aisles, and circulation areas associated with active farming operations, which do not have the appearance or scale of a commercial or industrial farming operation, on properties zoned A-2 with the written approval of the Community Development Director and Public Works Director. All surface materials shall be maintained such that the driving and parking surfaces are fully covered with the approved surface material and do not create any dust or hazardous conditions. The portion of a driveway within public right-of-way shall be hard surfaced to city standards.

The proposed revisions would increase the rock base depth for non one- and two-family parking, loading and circulation areas paved with asphalt cement concrete to six (6) inches, as requested by the Public Works Department.

Furthermore, the addition of subsection (A)(2)(a) would specify that non-commercial and non-industrial scale farming operations in an A-2/Parks, Estates and Agricultural District could utilize crushed Portland cement concrete or crushed asphalt cement concrete as an alternative surface material for parking, loading and circulation areas on-site. These lower standards would apply only to portions of a farming operation used for agricultural purposes. Parking and circulation areas associated with other uses in this district (such as dwellings, parks, etc.) will remain subject to the hard surface pavement standards that exist currently. Allowing reduced pavement standards for certain farming operations in the A-2 District will help to reduce economic burden on farmers who are currently required by the City's parking code to pave hard surface parking and circulation areas for farm equipment, despite such hard surfaces not being ideal for farming operations.

C. *Section 15.16.060 Additional Regulations*

All business, service, repair, processing, storage, and merchandise display shall be conducted or located within an enclosed building, with the exception of off-street parking and loading areas, drive-in services, minor service for motor vehicles, and display of merchandise along the wall of the building, which merchandise shall not extend more than three feet from the wall of such building.

Parking and loading requirements:

A. Off-street parking is not required for any use established or existing in this district, except for residential use in a mixed commercial/residential structure;

B. Off-street loading for all uses established or existing in this district shall comply with the applicable requirements in CBMC 15.23.

The proposed changes to this section will bring the parking and loading requirements for the C-3/Commercial District into alignment with those of the C-4/Commercial District. Both the C-3 and C-4 Districts primarily

serve the City's downtown area, and it is sensible to have uniform parking standards across both districts. The proposed parking and loading standards would eliminate minimum parking requirements for all land uses within the C-3 District except for the residential portion of a mixed commercial/residential structure. This will create a degree of flexibility for future developments in the C-3 District, as the amount of parking provided for non-residential uses will be the choice of the developer or property owner. A reduction in required parking amounts can be useful for developments on parcels with constrained space, as an average parking space requires approximately 330 square feet of land when accounting for parking stalls, drive aisles, ramps, landscaping, and setbacks. Reduced parking requirements can also make new development more cost-effective, as the cost of a typical surface parking lot is roughly $5,000 to $10,000 per space and a typical parking structure can cost $25,000 to $50,000 per space (costs include land values, materials, and labor). The ability to build less on-site parking could enable developments in the downtown area that may not otherwise be geometrically and/or financially feasible with current minimum parking requirements.

Notably, elimination of minimum parking requirements within the C-3 District would not prohibit developers or property owners from providing on-site parking facilities in this district. On the contrary, virtually all new developments will include some amount of parking either on-site or off-site, primarily due to economic forces that make it difficult for new development to be built without parking. In nearly all cases, some parking will be required in order for new developments to be marketable to prospective tenants. Financing for new developments typically also necessitates some amount of parking, as loan underwriters will be hesitant to lend money for a development with a high risk of failing to generate enough revenue to make timely loan payments. Elimination of minimum parking requirements would simply give landowners and developers the latitude to provide the amount of parking that makes the most sense for a particular site, rather than applying uniform minimum parking requirements.

Recommendation

The Community Development Department recommends approval of the request to amend Section 15.15.060, *Additional Regulations*; Section 15.23.020, *General Provisions*; and Section 15.23.030, *Design Standards*; of the Council Bluffs Municipal Code (Zoning Ordinance), as shown in Attachments 'A' and 'B'.

Public Hearing

Staff speakers for the request:

1. Brandon Siracuse, Planner, City of Council Bluffs, 209 Pearl Street, Council Bluffs, IA 51503
2. Christopher Gibbons, Planning and Code Compliance Manager, 209 Pearl Street, Council Bluffs, IA 51503

Speakers in favor: None

Speakers against: None

Planning Commission Recommendation

The City Planning Commission recommended approval of the request to amend Section 15.15.060, *Additional Regulations*; Section 15.23.020, *General Provisions*; and Section 15.23.030, *Design Standards*; of the Council Bluffs Municipal Code (Zoning Ordinance), as shown in Attachments 'A' and 'B'.

VOTE: AYE – Bass, Halm, Knauss, Opperman, Rater, Rew, Scott, Stroebele, and VanHouten. NAY - None ABSTAIN - None ABSENT – Bailey and Hutcheson. VACANT – None. Motion: Carried.

Attachments

Attachment A: Proposed Chapter 15.16, *C-3/Commercial District*, of the Council Bluffs Municipal Code (Zoning Ordinance)

Attachment B: Proposed Chapter 15.23, *Off-Street Parking, Loading and Unloading*, of the Council Bluffs Municipal Code (Zoning Ordinance)

Prepared by: Brandon Siracuse, Planner, Community Development Department

Chapter 15.16 - C-3/COMMERCIAL DISTRICT

15.16.010 Statement Of Intent
15.16.020 Principal Uses
15.16.030 Conditional Uses
15.16.040 Accessory Uses
15.16.050 Site Development Regulations
15.16.060 Additional Regulations
15.16.070 Signs

15.16.010 Statement Of Intent

The C-3 district is intended to accommodate office, retail and related activities in the traditional commercial center of the city as well as other appropriate commercial sites.

(Ord. 5469 § 1 (part), 1999)

15.16.020 Principal Uses

The following principal uses shall be permitted outright in a C-3 district:

A. Automobile service establishment;
B. Business, professional office;
C. Business goods and service establishment;
D. Club or lodge;
E. College or university;
F. Commercial recreation (indoor);
G. Consumer service establishment;
H. Cultural service;
I. Financial service;
J. Funeral service;
K. General government use;
L. Hospital;
M. Hotel/motel;
N. Mixed commercial/residential structure;
O. Newspaper printing;
P. Park and recreation service;
Q. Pawn shop;
R. Private parking lot;
S. Public parking lot;
T. Religious assembly;
U. Restaurant (drive-in, limited and general);
V. Retail shopping establishment;
W. School;
X. Second hand store;
Y. Tattoo parlor;
Z. Tavern;
AA. Small alcohol production facility;

DRAFT

BB. Dwelling, multifamily.

(Ord. No. 6027, § 1, 2-23-2009; Ord. No. 6292, § 1, 5-8-2017; Ord. No. 6343, § 1, 8-13-2018)

Editor's note— Ord. No. 6027, § 1, adopted Feb. 23, 2009, repealed the former § 15.16.020, and enacted a new CBMC 15.16.020 as set out herein. The former CBMC 15.16.020 pertained to similar subject matter and derived from Ord. No. 5556, § 1, adopted 2001.

HISTORY
Amended by Ord. 6455 on 6/14/2021

15.16.030 Conditional Uses

The following conditional uses shall be permitted in a C-3 district in accordance with the requirements set forth in CBMC 15.27:

A. Communication towers;
B. Day care service.

(Ord. 5469 § 1 (part), 1999)

15.16.040 Accessory Uses

The following accessory uses shall be permitted in a C-3 district: Uses of land or structures customarily incidental and subordinate to one of the principal uses in the C-3 district, unless otherwise excluded.

(Ord. 5469 § 1 (part), 1999)

15.16.050 Site Development Regulations

A. Lots or parcels of land zoned C-3 on or before the effective date of this ordinance and lots or parcels of land in areas less than two acres rezoned to C-3 after the effective date of this ordinance shall not be subject to **Minimum Lot Size** , set back or lot coverage requirements. Maximum height is limited to one hundred (100) feet for principal structures and twenty-four feet for accessory structures.
B. Lots or parcels of land more than two acres in areas rezoned to C-3 after the effective date of this chapter shall be required to submit a development plan for consideration by the planning commission and city council concurrent with the rezoning application. The development plan review shall follow the procedure used in CBMC 15.18.

(Ord. 5469 § 1 (part), 1999)

15.16.060 Additional Regulations

DRAFT

All business, service, repair, processing, storage, and merchandise display shall be conducted or located within an enclosed building, with the exception of off-street parking and loading areas, drive-in services, minor service for motor vehicles, and display of merchandise along the wall of the building, which merchandise shall not extend more than three feet from the wall of such building.

Parking and loading requirements:

A. Off-street parking is not required for any use established or existing in this district, except for residential use in a mixed commercial/residential structure;
B. Off-street loading for all uses established or existing in this district shall comply with the applicable requirements in CBMC 15.23.

(Ord. 5469 § 1 (part), 1999)

15.16.070 Signs

Signage in this district shall comply with CBMC 15.33 "Signs."

(Ord. 5469 § 1 (part), 1999)

DRAFT

Chapter 15.23 - OFF-STREET PARKING, LOADING AND UNLOADING

15.23.010 Statement Of Intent
15.23.020 General Provisions
15.23.025 Permit Required
15.23.030 Design Standards
15.23.040 Submission Of Plans
15.23.050 Completion Time For Off Street Parking, Loading And Unloading Areas
15.23.060 Parking Spaces Required
15.23.070 Loading Spaces Required
15.23.080 Nuisance Conditions - Improvement
15.23.090 Violations And Penalties

15.23.010 Statement Of Intent

This chapter is intended to provide standards on surface paving and design requirements for off-street parking lots and areas, sales lots, loading and unloading areas, personal and recreational vehicle parking, truck terminals, intermodal facilities and storage uses. The lawful use of such existing uses immediately prior to the effective date of the ordinance codified in this chapter may be continued although such designs do not conform to such standards. When any of these items are to be improved, the design shall meet the new requirements within this code.

(Ord. 5532 § 1 (part), 2001)

15.23.020 General Provisions

A. All of the applicable provisions contained within this chapter regarding number of spaces, area or usability of existing parking, loading, and unloading spaces or other areas requiring a paved surface, shall be complied with when any of the following actions occur:
    1. Construction of any new residential and/or non-residential development;
    2. Building additions, expansions, and/or remodels for existing development:
        a. Non-residential uses: Any building addition(s), expansion(s), and/or remodel(s) that results an increase in the total number of required off-street parking spaces for a premises by 50% or more; and
        b. Residential uses: Any addition or remodel that increases the total number of dwelling units on a premises, or any conversion of an existing dwelling into a group care home, boarding, lodging, or rooming house and/or bed and breakfast use.
    3. Building additions and/or detached accessory structures that are designed in a manner where they are capable of being used for parking motorized vehicles, recreational vehicles, and'or boats, or which are intended to be used for loading/unloading, warehousing and distributing stored items, materials, and/or products shall be accessed by a hard-surfaced paved driveway in accordance with the standards stated in this Chapter; and

DRAFT

4. All off-street parking requirements associated with any special zoning overlay, development plan, or master planned area in the City shall supersede the requirements stated in this Chapter.

B. Contractual agreements may be made between uses which generate parking and at different intervals in such a manner that the requirements of more than one use may be met by the same space, provided the parking demand for each use involved is met. All other required parking spaces shall be located a distance not to exceed four hundred (400) feet from the building or use which they are required to serve, measured in a straight line from the building. Off-site parking owned by or affiliated directly with the owner of the use it serves may be located up to one thousand three hundred twenty (1,320) feet from the use it serves, measured in a straight line from the building.
C. In the event several uses occupy a structure or parcel of land, the total requirements for off-street parking or loading and unloading spaces shall be the sum of the requirements of the several uses computed separately.
D. Parking and loading or unloading spaces shall not be located in a required front yard with the exception of commercial and industrial districts, but may be located within a required side or rear yard.
E. All such off-street parking lots and areas, sales lots, apron space and loading and unloading spaces shall be so drained as to prevent damage to abutting properties and/or public streets;
F. All off-street parking lots and areas, sales lots and loading and unloading spaces, including entrances, exits and driveway approaches shall be constructed of hard surface concrete, ~~brick~~ concrete pavers, or asphalt, unless otherwise stated in this chapter, to prevent mud, dust, or loose material. Asphalt grindings and seal coats are not acceptable surfaces. Paving standards contained in this section should be considered minimum standards.
G. In non one and two family uses, all parking surfaces, spaces, circulation and aisles along the outer boundaries of a parking lot, vehicle entry paths, apron spaces, all driveways and other traveled areas shall be set back a minimum of five feet from the property line unless required for approved access.
H. Barriers must be located for lots over seven thousand five hundred (7,500) square feet in area to contain the parking within the approved parking lot. For parking lots with less than seven thousand five hundred (7,500) square feet in area the following setbacks shall only apply to the side(s) that directly abut public right-of-way. However, appropriate barriers are needed to protect adjacent buildings and structures on a zero setback side.

Barrier	**Setback from Property Line**	**Setback from Parking Surface**
A curb at least six inches in height	5 feet	0

DRAFT

Bump rail at least four inches in height	5 feet	3 feet
Guardrail barrier of eighteen to thirty (30) inches in height	5 feet	0
Post and cable barrier or bollard and chain of eighteen to thirty (30) inches in height	5 feet	0
Concrete, brick, metal or iron fence of twenty-four to forty-eight inches in height	5 feet	0

I. Lighting which illuminates parking lots shall be consistent with CBMC 15.24.050.
J. When a computation of required parking spaces results in a fraction of .5 or greater, the requirement shall be rounded up to the next whole number.

(Ord. 5532 § 1 (part), 2001)

HISTORY
Amended by Ord. 6414 on 6/22/2020

15.23.025 Permit Required

No person or entity shall undertake any of the activities required by this chapter unless they have first applied for and received a permit from the building division for the city of Council Bluffs. Fees for these permits shall be established by the city council and set out in CBMC 2.

(Ord. 5532 § 1 (part), 2001)

15.23.030 Design Standards

Off-street parking lot and areas, sales lots, loading and unloading areas storage uses and non one and two family uses shall observe the following design guidelines:

A. General Use Parking and Traveled Areas Including All Required and Nonrequired Parking, Driveways, Entrances and Exits, Vehicles or Sales.
    1. Required Parking and Aisle Widths. Each automobile space shall be not less than one hundred sixty two (162) square feet in area, with dimensions of nine feet by eighteen (18) feet. A maximum of ten (10) percent of required parking can be compact. A compact space shall be one hundred twenty-eight (128) square feet in area, with dimensions of eight by sixteen (16) feet. In addition, there shall be provided adequate entrance and exit driveways to connect each parking space with a street or alley open to use by the public, except where parking of vehicles by attendants is provided.

DRAFT

Type	Minimum Aisle Width
Two-way angled parking	18 feet
Two-way perpendicular parking	24 feet
One-way angled parking	16 feet
One-way perpendicular parking	24 feet

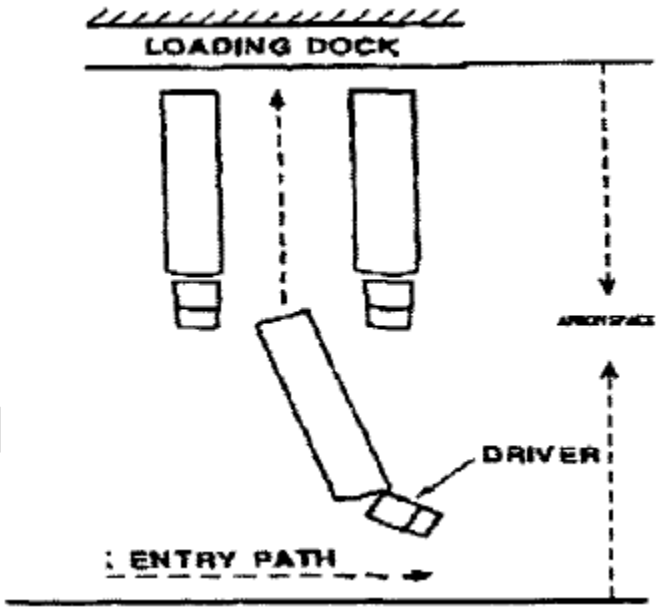
2. Pavement Requirements. Five inches of Portland cement concrete or ~~four~~ six inches rock base with four inches of asphalt cement concrete. The standards should be considered a minimum. Actual pavement design shall be based on consideration of traffic loadings, soil support capability and material specifications.
    a. Lower quality surface materials, such as crushed Portland cement concrete or crushed asphalt cement concrete, may be used for parking, drive aisles, and circulation areas associated with active farming operations, which do not have the appearance or scale of a commercial or industrial farming operation, on properties zoned A-2 with the written approval of the Community Development Director and Public Works Director. All surface materials shall be maintained such that the driving and parking surfaces are fully covered with the approved surface material and do not create any dust or hazardous conditions. The portion of a driveway within public right-of-way shall be hard surfaced to city standards.
3. Layout/Markings. The developer shall submit to the building official for review and approval a detailed and accurately scaled parking lot layout clearly showing the location of parking spaces and aisles, all conforming to said standards. Upon construction of the parking lot, the parking spaces must be marked on the parking lot surface according to the extent that those spaces are required in connection with the development. Spaces not required for a development need not be marked, or may be marked to lesser standards. Parking aisles should be designed to reduce pedestrian-vehicular conflicts by placing them perpendicular to the structure. Handicapped parking stalls shall be designed and signed as required by Iowa Admin. Code Chapter 18.
4. Required Green Space. All parking lots with seven thousand five hundred (7,500) square feet shall meet the following requirements:
    a. A minimum of five feet of landscaped area is required between a parking surface and the property line.
    b. The maximum allowable area that can be paved is ninety (90) percent of total lot area.

DRAFT

c. A minimum of ten (10) percent of the parking lot area must be landscaped with a permeable surface. Parking lot area is that which is contained within the property line and is adequate for approved parking. This can include the five-foot minimum landscaped setback.
d. Adjacent parking lots and access points may have the five-foot landscaped area waived when they are shared. The 90/10 rule for required green space will still apply for each abutting lot. Lots less than seven thousand five hundred (7,500) square feet in area shall have five feet on landscaping on those side(s) which abut public right-of-way and the 90/10 rule is not applicable.

5. Screening Requirements. All parking lots shall be screened along the boundary of the parking lot adjacent to residential uses. No screen is required between abutting parking lots. Screening shall conform to the standards in CBMC 15.24.040 Paragraph D.

B. Tractor/trailer Terminals, Service Centers, Intermodal Operations and Storage Areas, Including but not Limited To: Vehicle Entry Paths, Apron Space, all Driveways and Other Traveled Areas.



1. Surface Layout. The developer shall submit to the building official for review and approval a detailed and accurately scaled hard surface layout clearly showing the location of parking spaces and aisles, truck entry paths, apron space, driveways and other traveled areas, all conforming to the provisions in this section.
2. Pavement Requirements. Six inches of Portland cement concrete or six inches rock base with six inches of asphalt cement concrete. The standards should be considered a minimum. Actual pavement design shall be based on consideration of traffic loadings, soil support capability and material specifications.

3. Required Green Space. A minimum of five feet of landscaped area is required between a parking lot, loading and unloading spaces and the property line.
4. Screening. All parking spaces and aisles, truck entry paths, apron spaces, driveways and other traveled areas shall be screened along the boundary adjacent to residential uses. Screening shall conform to the standards in CBMC 15.24.040 Paragraph D.

C. Parking Provisions for Personal Vehicles. All parking in one and two family residential uses shall be parked or stored in the following manner:
1. All residential drives, approaches required and nonrequired parking surfaces shall be hard surfaced.
2. All required parking spaces shall be a minimum of one hundred sixty two (162) square feet in area, with dimensions of nine feet by eighteen feet (18).
3. Pavement Requirements. Four inches of Portland cement concrete or four inches rock base with two inches of asphalt cement concrete. The standards should be considered a minimum. Actual pavement design shall be based on consideration of traffic loadings, soil support capability and material specifications.
4. Parking is permitted inside any enclosed structure when the structure otherwise conforms to the requirements of its specific zoning district.
5. Parking is permitted outside in the side yard or in the rear yard, behind the required front yard setback and must be contiguous with the primary surfaced driveway;
6. Personal vehicles shall not be used for storage of goods, materials or equipment other than those items, which are part of the unit or essential to its immediate use.

D. Parking Provisions for Recreational Vehicles and Vessels. Parking and storing of recreational vehicles and vessels in residential zoning districts, as defined in CBMC 15.03, are subject to the following additional regulations. Recreational vehicles or vessels may be parked and stored by its owner on a single lot in a residential district, subject to the following:
1. Parking of one recreational vehicle or vessel is permitted outside within the required front yard setback on a hard surface driveway or a hard surfaced pad contiguous with the driveway, provided:
    a. Space is not available in the side yard, behind the required front yard or there is no reasonable access to either the side or rear yard. A lot shall be deemed to have reasonable access to the rear yard if terrain permits and access can be had without substantial damage to existing large trees or major landscaping. A fence shall not be deemed to prevent reasonable access;
    b. Parking in an enclosed structure is not possible;
    c. The vehicle is parked perpendicular to the curb;
    d. The vehicle may not extend over the public sidewalk or public right-of-way.
2. If a recreational vehicle or recreational vessel is equipped with liquefied petroleum gas containers, such containers shall meet all applicable fire

DRAFT

safety codes. Any valves must be closed at all times when the vehicle is not being readied for immediate use.

3. A recreational vehicle shall not be used or occupied for living, sleeping or housekeeping purposes except that nonpaying guests at a residence may occupy one vehicle, parked or stored consistent with the regulations of this chapter, for sleeping purposes only, for a period not exceeding seventy-two (72) consecutive hours and not more than fourteen (14) days in any calendar year.
4. Pavement Requirements. Four inches of Portland cement concrete or four inches rock base with two inches of asphalt cement concrete. The standards should be considered a minimum. Actual pavement design shall be based on consideration of traffic loadings, soil support capability and material specifications.

(Ord. 5532 § 1 (part), 2001)

15.23.040 Submission Of Plans

A plan drawn to scale and indicating how the off-street parking or loading and unloading requirements are to be fulfilled shall accompany an application for an off-street parking loading and unloading permit. Such plan shall show all elements necessary to indicate fulfillment of such requirements, inclusive of the following:

A. Delineation of individual parking and loading spaces;
B. Circulation area necessary to serve spaces;
C. Ingress and egress;
D. Material specifications and locations for paving, barriers, lighting and landscaping;
E. Dimensions, continuity, and substance of screening;
F. Grading, drainage, surfacing, and subgrading details;
G. Delineation of obstacles to parking and circulation in finished parking areas;
H. Specifications as to signage.

(Ord. 5532 § 1 (part), 2001)

15.23.050 Completion Time For Off Street Parking, Loading And Unloading Areas

Required parking lots and areas, sales lots, loading and unloading areas, personal and recreational vehicle parking, truck terminals and intermodal facilities shall be improved as required and made available for use before the final inspection is completed by the building official. An extension of time may be granted by the building official provided a performance bond or its equivalent is posted, equaling the cost of completing the improvement as estimated by the building official.

(Ord. 5532 § 1 (part), 2001)

15.23.060 Parking Spaces Required

DRAFT

The number of off-street parking spaces required shall be no less than as set forth in the following:

Residential Types:	
Boarding, lodging, rooming houses, or bed and breakfasts	½ space for each rooming unit
Dormitories	1 space each 300 square feet of floor area
Dwelling, single-family attached and detached dwelling existing prior to the effective date of the ordinance codified in this chapter	1 space per dwelling unit
Dwelling, single-family attached and detached dwelling, townhouse	2 spaces per dwelling unit
Dwelling, two-family and multifamily	
Efficiency and 1 bedroom	1 space per dwelling unit
2 bedroom or more	1 ½ space per dwelling unit
Government sponsored elderly housing	½ space per dwelling unit
Group care home	½ space per resident
Family home	½ space per resident
Institutional Types:	
College/technical schools	1 space for every 3 full-time equivalent students
Correctional placement residence	1 space per 4 person capacity
Cultural service	1 space per each 500 square feet
Detention facilities	1 space per 4 person capacity
Hospitals	1 ½ spaces for each bed

DRAFT

Convalescent and nursing homes	1 space for every three beds
Religious assembly	1 space per 6 person capacity in the main auditorium
Day care services	1 space for every six children
Schools —Elementary and junior high	2 spaces per classroom
Schools —High school	12 spaces per classroom
Places of Public Assembly:	
Clubs and lodges	1 space per 4 person capacity
Commercial recreation (indoor)	½ space per capacity of the occupant load of the facility
Public assembly	1 space per 4 person capacity
Sports arena or auditorium	1 space per 4 person capacity
Theaters	1 space per 4 person capacity
Commercial recreation (outdoor)	Parking spaces equal to 50% of the occupant load of the facility
Service and Retail Sales:	
Agricultural sales and service	1 space per 1,500 square feet of gross floor area
Automobile repair, minor	1 space per 500 square feet of gross floor area
Automobile repair, major	1 space per 750 square feet of gross floor area
Automobile service establishment	1 space per 750 square feet of gross floor area

DRAFT

Automobile sales and leasing	1 space per 500 square feet of gross floor area
Consumer fireworks sale	1 space per 200 square feet of gross floor area
Consumer service establishment	1 space for every 400 square feet of gross floor area
Equipment sales and rental	1 space for every 400 square feet of gross floor area
Financial services	1 space for every 400 square feet of gross floor area
Funeral services	1 space per 6 person capacity
Hotel and motels	1 space for each guest room
Laundry and dry cleaning	1 space for every 300 square feet of gross floor area
Medical and dental offices	2 spaces for each office, examining room and treatment room
Professional offices	1 space for every 400 square feet of gross floor area
Restaurant, general	1 space for every 150 square feet of gross floor area
Restaurant, drive-in or carry-out	1 space for every 100 square feet of gross floor area
Retail sales including grocery stores	1 space for every 200 square feet of gross floor area
Retail sales, including bulky merchandise, household furniture, appliances	1 space for every 700 square feet of gross floor area

DRAFT

Tavern	1 space for every 100 square feet of gross floor area
Veterinary services	1 space for each office, examining room and treatment room
Industrial Types:	
Contractor and construction yards	1 space per employee
Laboratories and research facilities	1 space for every 600 square feet of gross floor area
Printing and publishing	1 space for every 400 square feet of gross floor area
Wholesale and distribution	
0 to 25,000 square feet	5 spaces
25,000 square feet or more	5 spaces plus 1 for each additional 5,000 square feet above 25,000
Manufacturing	
Custom	See Schedule A
General	See Schedule A
Heavy	See Schedule A
Light	See Schedule A
Use types not listed:	See Schedule B

Schedule A: This schedule sets forth minimum off-street parking requirements for uses with elements having different functions or operating characteristics.

Function of Element	**Requirement**

DRAFT

Office or administrative activity	1 space per 300 square feet
Indoor sales, display or service area	1 space per 500 square feet
Outdoor sales, display or service area	1 space per 2,000 square feet
Equipment servicing or manufacturing	1 space per 1,000 square feet
Indoor or outdoor storage or warehousing	1 space per 5,000 square feet

Schedule B: Specific requirements shall be determined by the mayor or designee. Requirements shall be based on needs for similar uses, location of proposed use, expected demand and traffic generated by the proposed use, and appropriate traffic engineering and planning criteria and information. Determination of requirements may be appealed to the zoning board of adjustment.

(Ord. 5532 § 1 (part), 2001) (Ord. No. 6336, § 1, 6-11-2018)

15.23.070 Loading Spaces Required

Any use which involves the receipt or distribution of freight, merchandise supplies, vehicles, or equipment as part of its typical operation shall provide and maintain adequate space for off-street loading. The number of loading spaces required shall be no less than as set forth in the following:

A. The following standards shall be used in determining the minimum number of spaces, which will be required:

Number of Spaces	**Gross Floor Area of the Building in Square Feet**
None	0 to 5,000
One	5,000 to 20,000
Two	20,000 to 75,000
Three	75,000 to 150,000
Four	over 150,000

DRAFT

B. All such areas shall be so drained as to prevent damage to abutting properties and/or public streets.
C. Driving surfaces of off-street loading spaces shall be surfaced according to CBMC 15.23.030 Paragraph B,2.
D. Loading and unloading berths shall each contain at least three hundred fifty (50) square feet measuring ten (10) feet in width and thirty-five (35) feet in length, and shall have a clearance of at least fourteen (14) feet.
E. Off-street loading spaces may not be located in any required yard adjacent to a residential district.
F. Circulation and access to loading spaces must allow maneuvering into or out of the space to occur outside of any public street or right-of-way.

(Ord. 5532 § 1 (part), 2001)

15.23.080 Nuisance Conditions - Improvement

In those areas under purview of this chapter and which on the effective date of the ordinance codified in this chapter, whose premises or private roadways are, which thereafter become adjacent to a paved street or streets or the means of access thereto is a paved alley or driveway, public or private and the premises are being used for public or private for any of the uses described within this chapter. In the event the city building official, after considering and evaluating such factors as the character of the neighborhood of such premises in respect to being improved or unimproved or residential or commercial, the amount and kind of traffic generated by the premises, the extent of such premises, finds and determines that the use of such premises causes air pollution, adverse drainage conditions, or flying or blowing dust, or that the premises are otherwise so conditioned as to be offensive or constitute a nuisance to the occupants or residents of the neighborhood or vicinity of the premises used for the purposes aforesaid shall be permanently improved as proposed in this chapter.

(Ord. 5532 § 1 (part), 2001)

15.23.090 Violations And Penalties

Any person found guilty of a violation of any of the provisions of this chapter shall be subject to the penalty provisions of CBMC 8.02.020. Each day that a violation is allowed to continue shall constitute a separate violation of the provisions of this chapter and may be pursued as a municipal infraction according to the terms of CBMC 1.95 in lieu of criminal prosecution.

(Ord. 5532 § 1 (part), 2001)

DRAFT

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 on the request of Ryan Adkins to amend the following sections of Title 15: Zoning of the Council Bluffs Municipal Code: Section 15.23.020(F), *General Provisions*, relative to hard surface parking standards; Section 15.23.030(A)(2), *Design Standards*, by reducing hard surface pavement standards for certain farm operation uses in the A-2/Parks, Open Space and Agricultural District; and on the request of the City of Council Bluffs to amend the following sections of Title 15: Zoning of the Council Bluffs Municipal Code: Section 15.23.020(B), *General Provisions*, by increasing the maximum distance certain off-site parking facilities may be located relative to the uses they serve; Section 15.23.020(F), *General Provisions*, relative to hard surface parking standards; Section 15.23.030(A)(2), *Design Standards*, by changing the standard rock base depth for asphalt cement concrete parking and loading areas associated with non one- and two-family uses; and Section 15.16.060, *Additional Regulations*, relative to parking and loading requirements for developments within the C-3/Commercial District.

You are further notified that the 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 14th day of November, 2022 in the City Council Chambers, 2nd 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. 6528

AN ORDINANCE TO AMEND CHAPTER 15.16, C-3/COMMERCIAL DISTRICT OF THE MUNICIPAL CODE (ZONING ORDINANCE) OF THE 2020 MUNICIPAL CODE OF COUNCIL BLUFFS, IOWA, BY AMENDING SECTION 15.16.060 "ADDITIONAL REGULATIONS".

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

SECTION 1. That Chapter 15.16, C-3/Commercial District of the Municipal Code (Zoning Ordinance) of the 2020 Municipal Code of Council Bluffs, Iowa, be and the same is hereby amended by amending Section 15.16.060 "Additional Regulations" to read as follows:

15.16.060 Additional Regulations

All business, service, repair, processing, storage, and merchandise display shall be conducted or located within an enclosed building, with the exception of off-street parking and loading areas, drive-in services, minor service for motor vehicles, and display of merchandise along the wall of the building, which merchandise shall not extend more than three feet from the wall of such building.

Parking and loading requirements:

A. Off-street parking is not required for any use established or existing in this district, except for residential use in a mixed commercial/residential structure;
B. Off-street loading for all uses established or existing in this district shall comply with the applicable requirements in CBMC 15.23.

(Ord. 5469 § 1 (part), 1999)

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 November 14, 2022.
APPROVED

_____
MATTHEW J. WALSH Mayor

Attest: _____
JODI QUAKENBUSH City Clerk

First Consideration: 10-24-22
Second Consideration: 11-14-22
Public Hearing: 11-14-22
Third Consideration: _____

ORDINANCE NO. 6529

AN ORDINANCE TO AMEND CHAPTER 15.23, OFF-STREET PARKING, LOADING AND UNLOADING OF THE MUNICIPAL CODE (ZONING ORDINANCE) OF THE 2020 MUNICIPAL CODE OF COUNCIL BLUFFS, IOWA, BY AMENDING SECTION 15.23.020 "GENERAL PROVISIONS" AND SECTION 15.23.030 "DESIGN STANDARDS".

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

SECTION 1. That Chapter 15.23, Off-Street Parking, Loading and Unloading of the Municipal Code (Zoning Ordinance) of the 2020 Municipal Code of Council Bluffs, Iowa, be and the same is hereby amended by amending Section 15.23.020 "General Provisions" and Section 15.23.030 "Design Standards" to read as follows:

15.23.020 General Provisions

A. All of the applicable provisions contained within this chapter regarding number of spaces, area or usability of existing parking, loading, and unloading spaces or other areas requiring a paved surface, shall be complied with when any of the following actions occur:
   1. Construction of any new residential and/or non-residential development;
   2. Building additions, expansions, and/or remodels for existing development:
      a. Non-residential uses: Any building addition(s), expansion(s), and/or remodel(s) that results an increase in the total number of required off-street parking spaces for a premises by 50% or more; and
      b. Residential uses: Any addition or remodel that increases the total number of dwelling units on a premises, or any conversion of an existing dwelling into a group care home, boarding, lodging, or rooming house and/or bed and breakfast use.
   3. Building additions and/or detached accessory structures that are designed in a manner where they are capable of being used for parking motorized vehicles, recreational vehicles, and/or boats, or which are intended to be used for loading/unloading, warehousing and distributing stored items, materials, and/or products shall be accessed by a hard-surfaced paved driveway in accordance with the standards stated in this Chapter; and
   4. All off-street parking requirements associated with any special zoning overlay, development plan, or master planned area in the City shall supersede the requirements stated in this Chapter.

B. Contractual agreements may be made between uses which generate parking and at different intervals in such a manner that the requirements of more than one use may be met by the same space, provided the parking demand for each use involved is met. All other required parking spaces shall be located a distance not to exceed four hundred (400) feet from the building or use which they are required to serve, measured in a straight line from the building. Off-site parking owned by or affiliated directly with the owner of the use it serves may be located up to one thousand three hundred twenty (1,320) feet from the use it serves, measured in a straight line from the building.

C. In the event several uses occupy a structure or parcel of land, the total requirements for off-street parking or loading and unloading spaces shall be the sum of the requirements of the several uses computed separately.

D. Parking and loading or unloading spaces shall not be located in a required front yard with the exception of commercial and industrial districts, but may be located within a required side or rear yard.

E. All such off-street parking lots and areas, sales lots, apron space and loading and unloading spaces shall be so drained as to prevent damage to abutting properties and/or public streets;

F. All off-street parking lots and areas, sales lots and loading and unloading spaces, including entrances, exits and driveway approaches shall be constructed of hard surface concrete, concrete pavers, or asphalt, unless otherwise stated in this chapter, to prevent mud, dust, or loose material. Asphalt grindings and seal coats are not acceptable surfaces. Paving standards contained in this section should be considered minimum standards.

G. In non one and two family uses, all parking surfaces, spaces, circulation and aisles along the outer boundaries of a parking lot, vehicle entry paths, apron spaces, all driveways and other traveled areas shall be set back a minimum of five feet from the property line unless required for approved access.

H. Barriers must be located for lots over seven thousand five hundred (7,500) square feet in area to contain the parking within the approved parking lot. For parking lots with less than seven thousand five hundred (7,500) square feet in area the following setbacks shall only apply to the side(s) that directly abut public right-of-way. However, appropriate barriers are needed to protect adjacent buildings and structures on a zero setback side.

Barrier	**Setback from Property Line**	**Setback from Parking Surface**
A curb at least six inches in height	5 feet	0
Bump rail at least four inches in height	5 feet	3 feet
Guardrail barrier of eighteen to thirty (30) inches in height	5 feet	0
Post and cable barrier or bollard and chain of eighteen to thirty (30) inches in height	5 feet	0
Concrete, brick, metal or iron fence of twenty-four to forty-eight inches in height	5 feet	0

I. Lighting which illuminates parking lots shall be consistent with CBMC 15.24.050.

J. When a computation of required parking spaces results in a fraction of .5 or greater, the requirement shall be rounded up to the next whole number.

(Ord. 5532 § 1 (part), 2001)

HISTORY
Amended by Ord. 6414 on 6/22/2020

15.23.030 Design Standards

Off-street parking lot and areas, sales lots, loading and unloading areas storage uses and non one and two family uses shall observe the following design guidelines:

A. General Use Parking and Traveled Areas Including All Required and Nonrequired Parking, Driveways, Entrances and Exits, Vehicles or Sales.

1. Required Parking and Aisle Widths. Each automobile space shall be not less than one hundred sixty two (162) square feet in area, with dimensions of nine feet by eighteen (18) feet. A maximum of ten (10) percent of required parking can be compact. A compact space shall be one hundred twenty-eight (128) square feet in area, with dimensions of eight by sixteen (16) feet. In addition, there shall be provided adequate entrance and exit driveways to connect each parking space with a street or alley open to use by the public, except where parking of vehicles by attendants is provided.

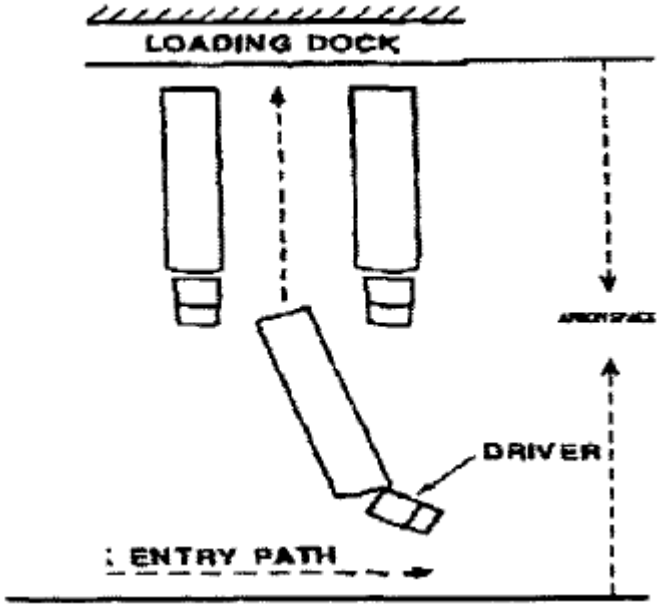
Type	**Minimum Aisle Width**
Two-way angled parking	18 feet
Two-way perpendicular parking	24 feet
One-way angled parking	16 feet
One-way perpendicular parking	24 feet

2. Pavement Requirements. Five inches of Portland cement concrete or six inches rock base with four inches of asphalt cement concrete. The standards should be considered a minimum. Actual pavement design shall be based on consideration of traffic loadings, soil support capability and material specifications.
    a. Lower quality surface materials, such as crushed Portland cement concrete or crushed asphalt cement concrete, may be used for parking, drive aisles, and circulation areas associated with active farming operations, which do not have the appearance or scale of a commercial or industrial farming operation, on properties zoned A-2 with the written approval of the Community Development Director and Public Works Director. All surface materials shall be maintained such that the driving and parking surfaces are fully covered with the approved surface material and do not create any dust or hazardous conditions. The portion of a driveway within public right-of-way shall be hard surfaced to city standards.
3. Layout/Markings. The developer shall submit to the building official for review and approval a detailed and accurately scaled parking lot layout clearly showing the location of parking spaces and aisles, all conforming to said standards. Upon construction of the parking lot, the parking spaces must be marked on the parking lot surface according to

the extent that those spaces are required in connection with the development. Spaces not required for a development need not be marked, or may be marked to lesser standards. Parking aisles should be designed to reduce pedestrian-vehicular conflicts by placing them perpendicular to the structure. Handicapped parking stalls shall be designed and signed as required by Iowa Admin. Code Chapter 18.

4. Required Green Space. All parking lots with seven thousand five hundred (7,500) square feet shall meet the following requirements:
    a. A minimum of five feet of landscaped area is required between a parking surface and the property line.
    b. The maximum allowable area that can be paved is ninety (90) percent of total lot area.
    c. A minimum of ten (10) percent of the parking lot area must be landscaped with a permeable surface. Parking lot area is that which is contained within the property line and is adequate for approved parking. This can include the five-foot minimum landscaped setback.
    d. Adjacent parking lots and access points may have the five-foot landscaped area waived when they are shared. The 90/10 rule for required green space will still apply for each abutting lot. Lots less than seven thousand five hundred (7,500) square feet in area shall have five feet on landscaping on those side(s) which abut public right-of-way and the 90/10 rule is not applicable.
5. Screening Requirements. All parking lots shall be screened along the boundary of the parking lot adjacent to residential uses. No screen is required between abutting parking lots. Screening shall conform to the standards in CBMC 15.24.040 Paragraph D.

B. Tractor/trailer Terminals, Service Centers, Intermodal Operations and Storage Areas, Including but not Limited To: Vehicle Entry Paths, Apron Space, all Driveways and Other Traveled Areas.



1. Surface Layout. The developer shall submit to the building official for review and approval a detailed and accurately scaled hard surface layout clearly showing the location of parking spaces and aisles, truck entry paths, apron space, driveways and other traveled areas, all conforming to the provisions in this section.

2. Pavement Requirements. Six inches of Portland cement concrete or six inches rock base with six inches of asphalt cement concrete. The standards should be considered a minimum. Actual pavement design shall be based on consideration of traffic loadings, soil support capability and material specifications.
3. Required Green Space. A minimum of five feet of landscaped area is required between a parking lot, loading and unloading spaces and the property line.
4. Screening. All parking spaces and aisles, truck entry paths, apron spaces, driveways and other traveled areas shall be screened along the boundary adjacent to residential uses. Screening shall conform to the standards in CBMC 15.24.040 Paragraph D.

C. Parking Provisions for Personal Vehicles. All parking in one and two family residential uses shall be parked or stored in the following manner:
1. All residential drives, approaches required and nonrequired parking surfaces shall be hard surfaced.
2. All required parking spaces shall be a minimum of one hundred sixty two (162) square feet in area, with dimensions of nine feet by eighteen feet (18).
3. Pavement Requirements. Four inches of Portland cement concrete or four inches rock base with two inches of asphalt cement concrete. The standards should be considered a minimum. Actual pavement design shall be based on consideration of traffic loadings, soil support capability and material specifications.
4. Parking is permitted inside any enclosed structure when the structure otherwise conforms to the requirements of its specific zoning district.
5. Parking is permitted outside in the side yard or in the rear yard, behind the required front yard setback and must be contiguous with the primary surfaced driveway;
6. Personal vehicles shall not be used for storage of goods, materials or equipment other than those items, which are part of the unit or essential to its immediate use.

D. Parking Provisions for Recreational Vehicles and Vessels. Parking and storing of recreational vehicles and vessels in residential zoning districts, as defined in CBMC 15.03, are subject to the following additional regulations. Recreational vehicles or vessels may be parked and stored by its owner on a single lot in a residential district, subject to the following:
1. Parking of one recreational vehicle or vessel is permitted outside within the required front yard setback on a hard surface driveway or a hard surfaced pad contiguous with the driveway, provided:
    a. Space is not available in the side yard, behind the required front yard or there is no reasonable access to either the side or rear yard. A lot shall be deemed to have reasonable access to the rear yard if terrain permits and access can be had without substantial damage to existing large trees or major landscaping. A fence shall not be deemed to prevent reasonable access;
    b. Parking in an enclosed structure is not possible;
    c. The vehicle is parked perpendicular to the curb;
    d. The vehicle may not extend over the public sidewalk or public right-of-way.
2. If a recreational vehicle or recreational vessel is equipped with liquefied petroleum gas containers, such containers shall meet all applicable fire safety codes. Any valves must be closed at all times when the vehicle is not being readied for immediate use.
3. A recreational vehicle shall not be used or occupied for living, sleeping or housekeeping purposes except that nonpaying guests at a residence may occupy one vehicle, parked or stored consistent with the regulations of this chapter, for sleeping purposes only, for a period not exceeding seventy-two (72) consecutive hours and not more than fourteen (14) days in any calendar year.

4. Pavement Requirements. Four inches of Portland cement concrete or four inches rock base with two inches of asphalt cement concrete. The standards should be considered a minimum. Actual pavement design shall be based on consideration of traffic loadings, soil support capability and material specifications.

(Ord. 5532 § 1 (part), 2001)

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 November 14, 2022.
APPROVED

_____
MATTHEW J. WALSH Mayor

Attest: _____
JODI QUAKENBUSH City Clerk

First Consideration: 10-24-22
Second Consideration: 11-14-22
Public Hearing: 11-14-22
Third Consideration: _____

Council Communication

Department: City Clerk
Case/Project No.:
Submitted by: Brandon Garrett

Resolution 22-311
ITEM 7.A.

Council Action: 11/28/2022

Description

Resolution confirming the appointment of Danielle Bemis in the position of Director of Finance for the City of Council Bluffs and approving the wage and benefit package offered to her.

Background/Discussion

Recommendation

ATTACHMENTS:

Description	Type	Upload Date
Resolution 22-311	Resolution	11/22/2022

R E S O L U T I O N
NO 22-311

A RESOLUTION CONFIRMING THE APPOINTMENT OF DANIELLE BEMIS IN THE POSITION OF DIRECTOR OF FINANCE THE CITY OF COUNCIL BLUFFS AND APPROVING THE WAGE AND BENEFIT PACKAGE OFFERED TO HER

WHEREAS, an employment offer has been made to Danielle Bemis for the position of Director of Finance; and

WHEREAS, this offer is contingent upon approval of the City Council; and

WHEREAS, the City Council has been advised as to the contents of this offer and find it 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 effective on or about November 28, 2022, Danielle Bemis is hereby appointed as Director of Finance the salary of Non-union Pay Grade 34, Step 2, with all other benefits as provided under the City's Personnel Policies.

ADOPTED
AND
APPROVED November 28, 2022

_____
Matthew J. Walsh, Mayor

ATTEST: _____
Jodi Quakenbush, City Clerk

Council Communication

Department: Community Development
Case/Project No.:
Submitted by: Housing & Economic Development

Resolution 22-312
ITEM 7.B.

Council Action: 11/28/2022

Description

Resolution authorizing the Mayor and City Clerk to execute an agreement with HGM Associates Inc for conceptual design and engineering services for 93.17 acres of vacant farm land/real estate for the creation of a new mixed use subdivision located on East Manawa Drive.

Background/Discussion

Background
In June, the City purchased approximately 93.17 acres along East Manawa Drive. The parcel is currently vacant farmland adjacent to existing neighborhoods on an improved road. The City proposed construction of approximately 300 multi-family units, 160 single-family detached units, 191 single-family attached units and 10.3 acres of commercial space. The diverse housing typologies will allow the City to create opportunities for a variety of income levels and alleviate the housing supply constraints which have driven housing prices up.

Units will be marketed to households at or below 300% of the federal poverty guidelines (FPG) and/or 80% of the median family income (MFI). A percentage (undetermined at this time) of the units will be rented or sold to families meeting this guideline creating a true mixed-income neighborhood. This type of neighborhood will produce housing opportunities in high-level neighborhoods to all households relocating to the development.

Discussion
On September 14, 2022, the City of Council Bluffs released a Request for Proposals (RFP) for conceptual design and engineering services for 93.17 acres of vacant farm land/real estate for the creation of a new mixed use subdivision located on East Manawa Drive.

On October 18, 2022, the City received four responses to the RFP, the selection team interviewed two engineering firms. HGM Associates Inc. has been selected for the conceptual design and engineering services. HGM Associates Inc. has a clear understanding of the project scope, and the qualified staff available to dedicate to the project.

Recommendation

The Community Development Department recommends approval of this resolution to enter into an agreement with HGM for conceptual design and engineering services for 93.17 acres of vacant farm land/real estate for the creation of a new mixed use subdivision located on East Manawa Drive.

ATTACHMENTS:

Description	Type	Upload Date
Staff Report	Resolution	11/4/2022
Resolution 22-312	Resolution	11/23/2022

Council Communication

Department: Community Development	Resolution No.: 22 -	City Council: November 14, 2022

Subject/Title

Resolution authorizing the Mayor and City Clerk to execute an agreement with HGM Associates Inc for conceptual design and engineering services for 93.17 acres of vacant farm land/real estate for the creation of a new mixed use subdivision located on East Manawa Drive.

Background/ Discussion

Background

In June, the City purchased approximately 93.17 acres along East Manawa Drive. The parcel is currently vacant farmland adjacent to existing neighborhoods on an improved road. The City proposed construction of approximately 300 multi-family units, 160 single-family detached units, 191 single-family attached units and 10.3 acres of commercial space. The diverse housing typologies will allow the City to create opportunities for a variety of income levels and alleviate the housing supply constraints which have driven housing prices up.

Units will be marketed to households at or below 300% of the federal poverty guidelines (FPG) and/or 80% of the median family income (MFI). A percentage (undetermined at this time) of the units will be rented or sold to families meeting this guideline creating a true mixed-income neighborhood. This type of neighborhood will produce housing opportunities in high-level neighborhoods to all households relocating to the development.

Discussion

On September 14, 2022, the City of Council Bluffs released a Request for Proposals (RFP) for conceptual design and engineering services for 93.17 acres of vacant farm land/real estate for the creation of a new mixed use subdivision located on East Manawa Drive.

On October 18, 2022, the City received four responses to the RFP, the selection team interviewed two engineering firms. HGM Associates Inc. has been selected for the conceptual design and engineering services. HGM Associates Inc. has a clear understanding of the project scope, and the qualified staff available to dedicate to the project.

Recommendation

The Community Development Department recommends approval of this resolution to enter into an agreement with HGM for conceptual design and engineering services for 93.17 acres of vacant farm land/real estate for the creation of a new mixed use subdivision located on East Manawa Drive.

Prepared by: Marianne Collins Housing & Economic Development Planner
Approved by: Courtney Harter, Director of Community Development

RESOLUTION NO. 22-312

A RESOLUTION AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE AN AGREEMENT WITH HGM ASSOCIATES INC. FOR CONCEPTUAL DESIGN AND ENGINEERING SERVICES FOR 93.17 ACRES OF VACANT FARM LAND/REAL ESTATE FOR THE CREATION OF A NEW MIXED USE SUBDIVION LOCATED ON EAST MANAWA DRIVE.

WHEREAS, in June 2022 the City purchased approximately 93.17 acres of vacant farmland along East Manawa Drive; and

WHEREAS, preliminary developments propose construction of approximately 300 multi-family units, 160 single-family detached units, 191 single-family attached units and 10.3 acres of commercial space; and

WHEREAS, HGM Associates Inc. has been selected to provide design and preliminary engineering services to develop a conceptual layout and determine infrastructure needs to serve the development; and

WHEREAS, it is the opinion of the City Council that it would be in the best interest for the Mayor and City Clerk to execute an agreement with HGM Associates Inc. for the conceptual design and engineering services for 93.17 acres of vacant farm land/real estate for the creation of a new mixed use subdivision located on East Manawa Drive.

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

That the City Council hereby authorize the Mayor and City Clerk to execute an agreement with HGM Associates Inc. for conceptual design and engineering services for 93.17 acres of vacant farm land/real estate for the creation of a new mixed use subdivision located on East Manawa Drive.

ADOPTED
AND
APPROVED: November 28, 2022

_____
Matthew J. Walsh, Mayor

_____
Jodi Quakenbush, City Clerk

Council Communication

Department: Finance
Case/Project No.:
Submitted by: Finance Department / Danielle Bemis

Resolution 22-313
ITEM 7.C.

Council Action: 11/28/2022

Description

Resolution certifying the FY2022 off-cycle Refuse collection lien schedule for nonpayment to the County Treasurer to be assessed against the owner's property.

Background/Discussion

Per the Code of Iowa and City Ordinance, a resolution has been prepared authorizing the Pottawattamie County Treasurer to certify an amount of approximately $3,190.00 as liens against various properties serviced by the city refuse collection service. All accounts to be liened are in excess of sixty days delinquent. Any payments made on a delinquent account prior to the time of delivery to the County Treasurer will be adjusted accordingly.

The purpose of the off-cycle lien schedule is to assist in the timely collection of delinquent liens. Lien notices were mailed to accounts November 8, 2022.

Recommendation

City Finance recommends the write-off of balances for unpaid refuse collection on the appropriate accounts and send the list to be certified to the County Treasurer.

ATTACHMENTS:

Description	Type	Upload Date
Resolution 22-313	Resolution	11/23/2022

Resolution 22-313

Resolution certifying the FY2022 refuse off-cycle collection lien schedule for nonpayment to the County Treasurer to be assessed against the owner's property.

WHEREAS, the City of Council Bluffs, Iowa has established a municipal system for the collection of residential refuse In the City of Council Bluffs, Iowa and has established a schedule of rates thereof, and;

WHEREAS, the City of Council Bluffs, Iowa has established a municipal system for the treatment of water and sewage In the City of Council Bluffs, Iowa and has established a schedule of rates thereof, and;

WHEREAS, Section 384.84 of the 2007 Code of Iowa provides that all rates or charges for the above named services, if not paid as provided by ordinance, shall constitute a lien upon the premises served by such service, and same may be certified to the County Treasurer and collected in the same manner as taxes, and;

WHEREAS, the premises listed on the FY2022 Refuse Collection Lien Schedule on file with the Treasurer's Office and by this reference made a part hereof, have failed to pay the rates and charges heretofore established for service to said premises pursuant to said ordinances, and;

WHEREAS, it is in the best interest of the City of Council Bluffs, Iowa, to cause said unpaid rates and charges to be certified to the Pottawattamie County Treasurer and collected in the same manner as taxes in order to improve the timeliness and likelihood of collections on delinquent accounts:

Now, therefore, be it resolved by the City Council of the City of Council Bluffs, Iowa:

That the premises and charges identified against same on the FY2022 Refuse Collection Lien Schedule for nonpayment of residential refuse collection charges in the amount of approximately **$3,190.00** is hereby approved, and the City Clerk is hereby authorized, empowered and directed to certify said 2022 Refuse Collection Lien Schedule to the Pottawattamie County Treasurer to be collected in the same manner as taxes. An Authorized Officer of Finance is hereby authorized, empowered and directed to make the necessary adjustments to the accounts for payments received prior to the delivery of said liens to the Pottawattamie County Treasurer.

Adopted and Approved:

_____
Matthew J. Walsh, Mayor

_____
Jodi Quakenbush, City Clerk

Council Communication

Department: Community Development
Case/Project No.: MIS-22-008
Submitted by: Christopher N. Gibbons, AICP, Planning & Code Compliance Manager and Haley Weber, Planner

Resolution 22-314
ITEM 7.D.

Council Action: 11/28/2022

Description

Resolution adopting an Administrative Approval Policy for Exterior Modifications to Locally Designated Historic Landmarks, Sites and Districts to allow staff to administratively review and approve certain exterior modifications within a locally designated historic district, landmark and/or landmark site. MIS-22-008

Background/Discussion

See attached staff report.

Recommendation

ATTACHMENTS:

Description	Type	Upload Date
Staff Report	Staff Report	11/18/2022
Attachment A: Proposed Administrative Approval Policy	Other	11/18/2022
Resolution 22-314	Resolution	11/23/2022

City Council Communication

Department: Community Development Case #MIS-22-008		City Council: 11/28/2022

Subject/Title

Resolution to adopt the *Administrative Approval Policy for Exterior Modifications to Locally Historic Landmarks, Sites and Districts* to allow staff to administratively review and approve certain exterior modifications within a locally designated historic district, landmark and/or landmark site.

Background/Discussion

All exterior modifications to properties that are locally designated as a historic landmark, landmark site, or historic district currently require review and approval by the Council Bluffs Historic Preservation Commission (HPC). As the HPC meets on a monthly basis, this aspect of the permit review process can delay project timeframes. The Community Development Department is proposing the *Administrative Approval Policy for Exterior Modifications to Locally Historic Landmarks, Sites and Districts* to streamline the review process and reduce the timeframe for permit review for projects that do not have a permanent and/or significant effect on the historic integrity of a property and/or district.

The proposed policy specifically identifies which projects are eligible for administrative review based on the type and scope of the project and whether the property is commercial/mixed use or residential in nature. The policy outlines the following categories for the "type of work" proposed:

- Architectural – which includes the following subcategories: new construction, relocation of structures, demolition, building additions, windows, doors, roofs, signs, awnings, public art, temporary event items, painting and other building alterations
- Site Work - which includes the following subcategories: paved areas, fences and walls, landscaping and furniture in both the public right-of-way and private property, lighting, utility and mechanical equipment, non-permanent ornamental/decorative items, and major site work improvements
- Other – which includes, changes to items previously approved by the HPC and emergency installation/repairs

Additionally, the proposed policy references the adopted *Urban Design Guidelines for Outdoor Dining on Public Property* to ensure compatibility and consistency between the proposed policy and the adopted outdoor dining guidelines.

Applicants would be required to submit an HPC application, including the appropriate fee, to the Community Development Department for all exterior modifications to properties that are locally designated as a historic landmark, landmark site, or historic district. Upon receipt of a complete application, Community Development staff would review the submittal to determine if the work qualifies for an administrative review. If staff is: (1) uncertain whether or not an application meets the criteria for issuing an administrative approval, (2) recommends denial of an administrative approval application, or (3) determines that an application does not meet the criteria for administrative approval, the application will be placed on the next available HPC meeting agenda.

In order to ensure transparency and provide the opportunity for comment or discussion on the proposed policy, staff will provide the HPC with an update of all completed administrative approvals at the regularly scheduled HPC meetings.

Recommendation

The Community Development Department recommends approval to adopt the *Administrative Approval Policy for Exterior Modifications to Locally Historic Landmarks, Sites and Districts* as proposed.

Attachments

Attachment A: Proposed *Administrative Approval Policy for Exterior Modifications to Locally Historic Landmarks, Sites and Districts*

Prepared by: Christopher N. Gibbons, AICP, Planning & Code Compliance Manager and Haley Weber, Planner

Administrative Approval Policy for Exterior Modifications to Locally Historic Landmarks, Sites and Districts

A. **Purpose.** Under the current provisions of Title 16, *Historic Preservation,* of the Council Bluffs Municipal Code, all proposed exterior modifications involving a locally designated historic district, landmark and/or landmark site must be reviewed and issued a 'Certificate of Appropriateness' by the Council Bluffs Historic Preservation Commission (HPC) prior to construction or installation. In an effort to streamline the review process and reduce the timeframe for project and permit review, this policy is intended to accomplish the following:

- Allow the Community Development Director, or their designee, the administrative ability to review and approve certain exterior modifications within a locally designated historic district, landmark and/or landmark site.
- Provide guidance on which items require review by the HPC and which items are eligible for administrative review.

B. **Procedures.**

1. The applicant shall submit a completed Historic Preservation Commission (HPC) application with all required documents and the application fee to the Community Development Department for review. See the HPC application for a list of all required materials.
2. Upon receipt of a complete application, Community Development Department staff shall review the request to determine if the proposed work qualifies for an administrative review or requires HPC review.
3. All work within a locally designated historic district, site, or landmark shall comply with *Secretary of Interior's Standards for Rehabilitation*.

C. **Guidelines.**

1. Staff shall provide an update of Administrative Approvals to the Historic Preservation Commission (HPC) at their regularly scheduled meetings.
2. If Staff: (1) is uncertain whether or not an application meets the criteria for issuing an administrative approval, (2) recommends denial of an administrative approval application, or (3) determines that an application does not meet the criteria for administrative approval, the application will be placed on the next available HPC meeting agenda.
3. Decisions made by the HPC may be appealed to the Zoning Board of Adjustment.

D. **Classification of Administrative Approvals.** All exterior modifications to a local landmark or property located within a locally designated historic district are subject to review and approval by the Community Development staff and/or the Council Bluffs HPC.

1. *Table 1 – Classification of Administrative Approvals by Type of Work and Property Type* identifies whether a project may be approved administratively or requires HPC review.
2. Any scope of work not listed on the table shall be reviewed by the Historic Preservation Commission.
3. An item's visibility from the public right-of-way does not exclude it from a review by either staff or the Historic Preservation Commission.
4. Neither an administrative approval nor a Certificate of Appropriateness from the HPC serves as a building permit. All work completed within a locally designated historic district and/or a local landmark shall be subject to all applicable Federal, state, and local

requirements. All required City permits shall be received prior to the commencement of any work.

5. This policy is not intended to include approval of items to be placed within the public right-of-way without the required review and approval from the Council Bluffs Public Works Department.

Table 1: Classification of Administrative Approvals by Type of Work and Property Type

Key "A" - Administrative Approval "HPC" - Historic Preservation Commission Approval	Property Type	
Type of Work	**Commercial/Mixed Use**	**Residential**
i. Architectural		
A. New Construction		
i. New accessory structures no larger than 250 square feet	A	A
ii. Any new structure that is greater than 250 square feet	HPC	HPC
B. Relocation of Structures		
i. Contributing structures	HPC	HPC
ii. Non-contributing structures	HPC	A
C. Demolition		
i. Demolition of a principal structure (both contributing and non-contributing)	HPC	HPC
ii. Demolition of a contributing accessory structure	HPC	HPC
ii. Demolition of a non-contributing detached accessory structure	A	A
D. Building Additions	HPC	HPC
E. Windows and Doors		
i. Replacement of windows and exterior doors on contributing structures	HPC	HPC
ii. Replacement of windows and exterior doors on non-contributing structures	A	A
F. Roofs		
i. Roof repair or replacement when there is no change in material	A	A
ii. Alteration of roof form (including alternation, removal, or construction of dormers)	HPC	HPC
iii. Installation of skylights which are visible from the public right-of-way	HPC	HPC
iv. Installation of skylights not visible from the public right-of-way	A	A
v. Installation of solar panels	HPC	HPC
vi. Construction of new or modification of existing chimneys	HPC	HPC
vii. Installation of gutters and downspouts where proposed change in style	A	A

	Commercial/Mixed Use	Residential
G. Signs		
i. Window signs, flags, plaques, address numbers	A	A
ii. Temporary signs which do not cause a modification or alteration to the historic architectural features or appearance of a building	A	-
iii. Permanent signage which does not alter the historic materials, architectural features or character of a property	A	-
iv. New sign/flag mounting brackets affixed to a historic façade	HPC	-
H. Awnings		
i. Installation of new awnings or replacement of awning structure	HPC	HPC
ii. Replacement of awning covering with no structural alteration	A	A
I. Public Art (including sculptures, murals, etc.)	HPC	HPC
J. Special/Temporary Event Items ***(A special/temporary event is defined as an activity, event, or festival which occurs once every 12 months for a maximum of 30 consecutive days. Special/temporary events in a historic district shall be sponsored by and/or receive participation from a minimum of 75% of all parcels within a locally designated historic district.)***		
i. Temporary outdoor promotional items, including signs, banners, and/or other items, that are not permanently affixed to any building, object, or structure which are displayed no more than three business days prior to the start of a special/temporary event and are removed within 5 business days from the conclusion of a special/temporary event	A	-
H. Other Building Alterations		
i. Repair of deteriorated architectural features that would be considered routine maintenance	A	A
ii. Replacement of missing or deteriorated architectural features	HPC	HPC
iii. New porches, decks, enclosures, stairs, or other similar building features	HPC	HPC
iv. Emergency access stairs which do not compromise the original architectural design of the building	A	A
v. Removal of vinyl, aluminum, asbestos, or other artificial siding when the original siding is to be repaired and/or replaced with similar materials and color	A	A
vi. Change in original cladding material or style	HPC	HPC
vii. Repair of masonry materials and repointing that matches existing or original materials	A	A

	Commercial/Mixed Use	Residential
viii. Installation of vents or venting pipes in locations not visible from the public right-of-way, excluding alleys	A	A
ix. Installation of satellite dishes or antennas in areas not visible from the public right-of-way, excluding alleyways	A	A
I. Painting		
i. No change in paint color	A	A
ii. Use of earth tones or paint colors that are generally compatible with the historic context of the property and/or district	A	A
iii. Use of new paint color (non-earth tone)	HPC	HPC
iv. Painting of historic facades and/or architectural details which have never previously been painted	HPC	HPC
ii. Site Work		
A. Paved Areas		
i. Construction or replacement of brick, stone, concrete, or gravel walkways, parking areas, patios, driveways, or other paved areas that are not readily visible from public right-of-way and/or are compatible in materials, location, and design with the visual character of the site and do not significantly change their appearance or material used	A	A
B. Fences and Walls		
i. Replacement and/or repair of fences and walls that do not significantly change the original appearance of the fence/wall or involve a change in the material used	A	A
ii. Construction of a new fence or wall which is compatible in material, height, location, and design with the visual character of the site or district in which the fence/wall is located	A	A
C. Landscaping in Public Right-of-Way		
i. Installation of landscaping included in the adopted Outdoor Streetscape Policy	A	-
ii. Landscaping not included in the adopted Outdoor Streetscape Policy that is compatible with the historic character of the historic district	A	-
iii. Removal of landscaping that is integral to the historic district	HPC	-

	Commercial/Mixed Use	Residential
D. Landscaping on Private Property		
I. Installation of non-invasive plantings and planters that are compatible with the historic character of the historic district or residential neighborhood	A	A
ii.Removal of landscaping that is integral to the historic character of the property or district	HPC	HPC
E. Lighting		
i. Exact replacement of permanently attached exterior light fixtures in both design and location	A	A
ii. New light fixtures (either in design or location)	HPC	HPC
F. Outdoor Furniture in the Public Right-of-Way		
i. Outdoor furniture located in the public right-of-way which complies with the adopted *Urban Design Guidelines for Outdoor Dining on Public Property*	A	-
ii. Outdoor furniture located in the public right-of-way which does not comply with the adopted *Urban Design Guidelines for Outdoor Dining on Public Property*	HPC	-
G. Outdoor Furniture on Private Property		
i. Outdoor furniture which complies and/or is compatible with the adopted *Urban Design Guidelines for Outdoor Dining on Public Property*	A	-
ii. Outdoor furniture which does not comply with and/or is not compatible with the adopted *Urban Design Guidelines for Outdoor Dining on Public Property*	HPC	-
H. Utility and Mechanical Equipment		
i. Installation, relocation, or removal of electric and gas meters, cable boxes, satellite dishes, 5G communication units, HVAC condensers, service meters, sprinkler systems, and wiring not on a primary façade or highly visible from the public right-of-way	A	A
ii. Installation of security devices such as cameras, touch key plates, and control panels where all wiring is concealed from public view	A	A
I. Non-Permanent Ornamental/Decorative Items	A	A
J. Major site work improvements	HPC	HPC

III. Other		
A. Previously approved by HPC		
i. Minor changes to HPC approved applications which do not alter or detract from the building, property, or district's historic integrity may be approved by the Community Development Director or their designee	A	A
ii. Major changes to HPC approved applications	HPC	HPC
B. Emergency Installation/Repairs		
i. Installation of temporary features to protect a historic resource that do not permanently alter the building, structure and/or property	A	A

RESOLUTION NO. 22-314

A RESOLUTION ADOPTING AN ADMINISTRATIVE APPROVAL POLICY FOR EXTERIOR MODIFICATIONS TO LOCALLY DESIGNATED HISTORIC LANDMARKS, SITES AND DISTRICTS TO ALLOW STAFF TO ADMINISTRATIVELY REVIEW AND APPROVE CERTAIN EXTERIOR MODIFICATIONS WITHIN A LOCALLY DESIGNATED HISTORIC DISTRICT, LANDMARK AND/OR LANDMARK SITE.

WHEREAS, All exterior modifications to properties that are locally designated as a historic landmark, landmark site, or historic district currently require review and approval by the Council Bluffs Historic Preservation Commission (HPC) and because the HPC meets on a monthly basis, this aspect of the permit review process can delay project timeframes; and

WHEREAS, The Community Development Department is proposing the this Policy to streamline the review process and reduce the timeframe for permit review for projects that do not have a permanent and/or significant effect on the historic integrity of a property and/or district; and

WHEREAS, The Community Development Department recommends approval of the Administrative Approval Policy for Exterior Modifications to Locally Historic Landmarks, Sites and Districts as proposed in "Attachment A".

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

That the request for adoption of an Administrative Approval Policy for Exterior Modifications to Locally Historic Landmarks, Sites and Districts is hereby approved.

ADOPTED
AND November 28, 2022.
APPROVED

_____
MATTHEW J. WALSH Mayor

Attest: _____
JODI QUAKENBUSH City Clerk

Council Communication

Department: Community Development
Case/Project No.: PC-22-001
Submitted by: Brandon Siracuse, Planner

Resolution 22-315
ITEM 7.E.

Council Action: 11/28/2022

Description

Resolution adopting a planned commercial development plan for property legally described as Lot 2, Bluffs Vision 4 Subdivision. Location: Undeveloped land lying at the southwest corner of 24th Avenue and Bass Pro Drive. PC-22-001

Background/Discussion

See attached staff report.

Recommendation

ATTACHMENTS:

Description	Type	Upload Date
Staff Report	Staff Report	11/18/2022
Attachment A: Zoning/Location Case Map	Map	11/18/2022
Attachment B: Letter of Intent	Letter	11/18/2022
Attachment C: Site Plan	Other	11/18/2022
Attachment D: Photometric Plan	Other	11/18/2022
Attachment E: Elevations and Signage	Other	11/18/2022
Attachment F: Landscape Plan	Other	11/18/2022
Resolution 22-315	Resolution	11/23/2022

City Council Communication

Department: Community Development CASE #PC-22-001 Applicant: Ryan Companies US, Inc. 111 East Grand Avenue, Suite 200 Des Moines, IA 50309 Owner: Frank R. Krejci Trust 1505 N 203rd Street Elkhorn, NE 68022 Represented by: David R. Madden, Esq. Richardson Madden P.C., L.L.O. 11819 Miracle Hills Drive, Suite 104 Omaha, NE 68154	Resolution No. _____	City Council: 11/28/2022 Planning Commission: 11/8/2022

Subject/Title

Request: Public hearing on the request of Ryan Companies US, Inc., represented by David R. Madden, Esq., to adopt a planned commercial development plan for property legally described as Lot 2, Bluffs Vision 4 Subdivision, City of Council Bluffs, Pottawattamie County, Iowa.

Location: Undeveloped land lying at the southwest corner of 24th Avenue Bass Pro Drive.

Background/Discussion

The Community Development Department has received an application from Ryan Companies US, Inc., represented by David R. Madden, Esq., to adopt a planned commercial development plan for Lot 2, Bluffs Vision 4 Subdivision, City of Council Bluffs, Pottawattamie County, Iowa. The proposed development plan will be specific to an electric vehicle (EV) manufacturer's proposed indoor automobile sales and rental facility.

The subject property is undeveloped land within a P-C/Planned Commercial District, which requires a development plan to establish a set of standards for development. Although the subject property is located within a P-C District, it has not previously had an adopted development plan. The proposed development plan is associated with a proposed 'indoor automobile sales and rental' use, which is allowed in the P-C District with a conditional use permit. The proposed development plan is anticipated to be reviewed by the City Planning Commission and potentially approved by the City Council prior to the Zoning Board of Adjustment (ZBA) holding a public hearing on the issuance of a conditional use permit for the subject property on December 20, 2022. However, the development plan shall only become effective if the ZBA grants the applicants a conditional use permit.

According to the applicant's letter of intent (Attachment 'B'), the subject property's use as an indoor automobile sales and rental facility will include leasing of electric vehicles as well as associated minor vehicle service, such as software updates, tire replacement, tire balancing, alignment, and minor body work (limited to replacing doors or the rear hatch). The facility will not be used for major automotive repair, and all vehicle parts, components,

and materials will be stored indoors. Unsold or unleased inventory will not be stored on-site. The facility is anticipated to serve customers from across Iowa and Nebraska.

The facility will have two vehicles as well as energy products produced by the same company on display. Several demonstration vehicles will be available for test drives, but vehicles will be custom ordered and delivered from an off-site location for pickup by customers. Energy products will also custom ordered and delivered to customers for installation.

Additional details about the proposed development can be found in the applicant's letter of intent (Attachment 'B').

Iowa Administrative Code Section 322.3(14) currently prohibits direct-to-consumer vehicle sales, a sales model characterized by customers directly purchasing new vehicles from a manufacturer rather than from an independently owned and operated dealership. However, state law does not prohibit leasing of vehicles by a manufacturer. The proposed development will not be an independently owned and operated dealership, therefore the EV Manufacturer's facility on the subject property will be limited to leasing vehicles until such time that state law changes to allow direct-to-consumer sales.

Additionally, the P-C/Planned Commercial District allows specifically for 'indoor automobile sales and rental' as a conditional use. Section 15.03.048b of the Council Bluffs Municipal Code (Zoning Ordinance) defines this use as "an automobile sales and rental establishment consisting only of premises on which fully operable noncommercial automobiles, light trucks, motorcycles, mopeds, golf carts, and similar motorized transportation vehicles are displayed for sale or lease within a fully enclosed structure. Such use shall not include any outdoor inventory display or storage areas." As such, the proposed development will not be permitted to store any inventory for lease outdoors on the subject property. If Iowa state law were to change in the future such that direct-to-consumer sales are permitted in the state, the facility could offer vehicles for sale as well as for lease on the subject property, however, outdoor storage of inventory for sale would continue to be prohibited on the subject property.

Land Use and Zoning
The subject property is zoned P-C/Planned Commercial District. Surrounding properties in all directions are also zoned P-C. Adjoining properties include:

- XPO Logistics and a vacant lot to the north
- Home Team Cookout Bar and Grill to the northeast
- Courtyard by Marriott Omaha East/Council Bluffs Hotel and a parking lot for the Mid America Center to the east and southeast
- Undeveloped land to the south
- The Iowa West Sports Plex and an undeveloped lot to the west and southwest
- Quaker Steak & Lube to the northwest

City Departments and Utilities
All appropriate City departments and utilities were notified of the proposed planned commercial development plan. The following comments were received:

- The Community Development Department stated that the proposed 'indoor automobile sales and rental' facility is allowed as a conditional use in the P-C District and is generally compatible with the surrounding uses and intent of the P-C District. Indoor automobile sales and rental facilities are differentiated from traditional vehicle dealerships and sales lots in that all inventory for sale or lease is stored indoors. According to the site plan (Attachment 'C'), the proposed development will contain a sizeable parking lot with 394 parking stalls, none of which will be used to store inventory according to the applicant's letter of intent. The proposed parking will be utilized approximately as follows: 100 (+/-) stalls for

customers and employees, 125 (+/-) stalls for vehicles awaiting service, 60 (+/-) stalls for leased vehicles awaiting pickup by customers, 50 stalls for loaner vehicles, 6 stalls for demonstration/test drive vehicles, 15 stalls for mobile service vehicles, and the remainder being a contingency for future growth. The proposed development is anticipated to serve customers from across Iowa and Nebraska, and the EV Manufacturer's internal evaluations indicate a need for 394 parking stalls to accommodate projected business volumes. In order to ensure that the development's parking lot does not have the appearance of a traditional automobile dealership, the applicant has agreed to screen the vehicle parking area with perimeter landscaping.

- The Building Permits and Inspections Division stated they approve of the project.
- The Parks and Recreation Department recommended sidewalks on the property along street frontages to support pedestrian traffic.
- The Public Works Department stated that the applicant shall work with the City on all necessary items under the purview of the Public Works Department.
- Council Bluffs Water Works stated they have no comments.
- Lumen stated they have copper facilities along the west side of the property and copper and fiber cables near the southeast corner of the property.

Development Plan

1. Site Development and Operational Standards

a. All principal and accessory structures on the subject property shall be subject to the following minimum setbacks:
   i. Front yard: 15 feet
   ii. Interior side yard: 5 feet
   iii. Street side yard: 10 feet
   iv. Rear yard: 10 feet.

b. The maximum height for all principal structures shall not exceed 50 feet, and the maximum height for accessory structures shall not exceed 18 feet.

c. The maximum lot coverage for all structures on the subject property shall be 60% of the total lot area.

d. All trash receptacles shall be enclosed on three sides and completely screened from view with materials similar to those of the primary building. The enclosure shall have a lockable gate which, when closed, eliminates view of the trash receptacle.

e. All utilities shall be installed underground. Any cost to remove, relocate, modify, and/or extend utilities to this site shall be at the sole cost of the developer and not the City.

f. Outdoor storage shall not be permitted. This includes the temporary and/or permanent placement of inter-modal storage containers as well as vehicle parts and other products associated with vehicle maintenance and/or energy products. The parking of vehicles awaiting pickup by a customer shall not be considered outdoor storage.

g. A minimum four-foot wide sidewalk shall be provided along the Bass Pro Drive frontage. The existing sidewalk along 24th Avenue and the existing trail along Mid America Drive shall remain and, if damaged during construction, be repaired to their original state.

h. A minimum five-foot-wide pedestrian way shall be provided from the primary entrance of the building structure to the nearest sidewalk. The pedestrian way may be designated with pavement striping, change in paving material, or some other alternative approved by the Community Development Department Director or their assign.

i. All fences shall be installed in accordance with Section 15.24.040, *Fence Regulations*, of the Council Bluffs Municipal Code (Zoning Ordinance).

j. All exterior lighting shall be installed in accordance with Section 15.24.050, *Lighting Controls*, of the Council Bluffs Municipal Code (Zoning Ordinance). Any proposed outdoor light poles shall be constructed out of painted or finished aluminum or steel. Wood poles shall not be allowed. The maximum height of any light pole shall not exceed 25 feet.

k. The applicant has submitted a photometric plan (see Attachment 'D') indicating that lighting will generally be contained within the property boundaries, with the exception of a minimal amount of light spillover across the northern, eastern, and western property lines. The light intensity across the northern and western property lines does not exceed 0.1 foot-candles in any location, and the light spillover across the eastern property line is limited to a maximum intensity of 0.4 foot-candles. The Community Development Department considers this acceptable and in line with Section 15.24.050 of the Municipal Code (Zoning Ordinance). A final photometric plan shall be submitted with the building permit application for the principal structure and shall be approved by the Community Development Department and the Public Works Department prior to installation of any outdoor lighting fixture.
l. Any installation of a solar energy conversion system(s) on the subject property shall be in accordance with the standards in Chapter 15.34, *Renewable Energy*, of the Municipal Code (Zoning Ordinance).
m. Hours of operation shall be those stated in the applicant's letter of intent.
n. Noise produced on the subject property shall conform to the regulations of Section 4.50, *Noise Control*, of the Municipal Code (Noise Ordinance).

2. Off-Street Parking

a. The proposed use is classified as 'indoor automobile sales and rental' and is required to provide a minimum of one parking space per 500 square feet of gross floor area, as per Section 15.23.060, *Parking Spaces*, of the Council Bluffs Municipal Code (Zoning Ordinance). Since the proposed facility will be 50,828 square feet in area, a minimum of 102 parking spaces is required. The submitted site plan shows a total of 394 parking stalls, which exceeds the minimum number of spaces required at this site. The developer has offered justification for their parking needs in excess of the minimum in the letter of intent, and city code prohibits the use of the parking lot for the display of vehicle(s) for sale and/or lease.
b. All off-street parking areas, driveways, and drive aisles shall comply with the standards stated in Chapter 15.23, Off-Street Parking, Loading and Unloading, of the Council Bluffs Municipal Code (Zoning Ordinance).
c. All off-street parking lots shall comply with Chapter 661-18, Parking for Persons with Disabilities, of the Iowa Administrative Code.
d. No junked, wrecked, or inoperable vehicles shall be stored outdoors on the subject property.
e. Outdoor parking shall not be used for the display of inventory for sale and/or lease.
f. Vehicle parking on the subject property shall be limited to designated parking stalls only.
g. Vehicles parked outdoors on the subject property shall be limited to vehicles of customers and employees, vehicles awaiting service, vehicles contractually leased or sold to a customer and awaiting pickup, loaner fleet vehicles, demonstration vehicles, and mobile service vehicles, as outlined in the applicant's letter of intent.
h. Electric vehicle charging units and supporting equipment shall not impede parking, circulation, or designated pedestrian pathways.
i. Transformer boxes and other above-ground supporting equipment for electric vehicle charging units shall be screened with fencing and/or landscaping that extends at least six (6) inches above the highest point of the equipment or be wrapped with artwork.
j. A parking lot permit shall be submitted with the building permit application for the proposed EV Manufacturer facility. The plan shall clearly identify the number, location, and dimension of all drive aisles, parking spaces, pedestrian ways, islands, landscaped areas, loading areas, and lighting.
k. All grading and drainage activity for this development shall be completed in accordance with the approved final plans.

3. Architecture

a. Acceptable exterior building materials for development in this area of the city include brick, stone, brick- or stone-like concrete masonry units, pre-case concrete, architectural metal panels, glazing, and other high-quality, durable materials.
b. The submitted exterior architectural elevations (Attachment 'E') indicate the use of primarily pre-cast concrete on all building facades. Glazing is also shown on all facades, and architectural metal panels are proposed on the western façade. The north, east, and south facades also contain architectural "bump-outs" composed of pre-cast concrete. Multiple colors are used on all building facades to increase visual interest.
c. The Community Development Department finds the proposed architectural details acceptable and recommends adoption of the exterior architectural plans as submitted.
d. All rooftop mounted mechanical equipment that is visible from an adjacent public street right-of-way shall be screened from view using architectural design features.
e. All ground-mounted mechanical equipment that is visible from an adjacent public street right-of-way shall be completely screened from view using architectural design features, fencing, masonry wall, landscaping, or a combination thereof.

4. Signage

a. The following attached signs are proposed (see Attachment 'E'):
    i. One (1) 19'-7 ½" wide by 2'-0" tall sign containing the company name on the north building elevation,
    ii. One (1) 8'-0" wide by 8'-0" tall sign containing the company logo on the east building elevation,
    iii. One (1) 19'-7 ½" wide by 2'-0" tall sign containing the company name on the south building elevation,
    iv. One (1) 8'-0" wide by 8'-0" tall sign containing the company logo on the west building elevation,
    v. One (1) 39'-3" wide by 4'-0" tall sign containing the company name on the west building elevation, and
    vi. One (1) 9'-3" wide by 1'-0" tall sign identifying the service entrance on the west building façade.
b. The following detached sign is proposed:
    i. One (1) 3'-5 5/8" wide by 8'-0" tall monument sign near the southwest site entrance.
c. The proposed signage totals approximately 401 square feet and is deemed acceptable for the subject property.
d. On-site directional signage shall count toward the overall amount of signage permitted on the subject property. Directional signage shall be limited to a maximum height of six (6) feet as measured from the natural grade and shall be limited to a maximum of four (4) square feet per sign face, not to exceed a total of eight (8) square feet per sign.
e. The total amount of permitted signage on the subject property shall not exceed 450 square feet. This includes directional signage.

5. Landscaping

a. The landscaping plan (Attachment 'F') shows a mixture of ornamental trees and shrubs along the perimeter of the subject property. The proposed landscaping is generally acceptable and shall be adopted as proposed with the following modifications:
    i. All disturbed areas without a specific landscape design shall be seeded or sodded with turf grass or prairie grass.
    ii. Parking lot islands and end caps shall contain turf grass and/or prairie grass as ground cover at minimum, or they shall be otherwise landscaped, with decorative plant species and noted on the landscape plan. Parking lot islands and end caps without vegetative landscaping shall

not be permitted.

iii. A minimum of 10% of the total parking lot area shall be landscaped, and the total landscaped area shall be indicated on a final landscaping plan submitted with the building permit application. Landscape buffers located between the parking lot and property line shall count toward total the parking lot landscaping requirement.

iv. The landscaping plan shall indicate the plant species to be used in the detention basins on the north and south sides of the subject property.

b. Not more than 10% of the landscaped area shall be of inorganic material such as brick, stone, aggregate, river rock, metal or artificial turf. Organic mulch may be used around trees and/or shrubs.

c. All perimeter shrubs and trees shall be allowed to grow to their full mature height and shall be maintained at such height so as to screen view of the parking lot from the public right-of-way.

d. All landscaping shall be appropriately irrigated and maintained, and dead plant material shall be replaced at a time appropriate to planting seasons but in all cases shall be replaced within one year.

Recommendation

The Community Development Department recommends approval of the request of Ryan Companies US, Inc., represented by David R. Madden, Esq., to adopt a planned commercial development plan for property legally described as Lot 2, Bluffs Vision 4 Subdivision, City of Council Bluffs, Pottawattamie County, Iowa, subject to the comments and conditions above and the following conditions:

1. This development plan shall not become effective until such time that the Zoning Board of Adjustment issues a conditional use permit for an 'indoor automobile sales and rental' use for the subject property, and
2. The subject property shall abide by all conditions stated above and any additional conditions adopted with the conditional use permit.

Public Hearing

Staff speaker for the request:

1. Brandon Siracuse, Planner, City of Council Bluffs, 209 Pearl Street, Council Bluffs, IA 51503
2. Christopher Gibbons, Planning Manager, City of Council Bluffs, 209 Pearl Street, Council Bluffs, IA 51503

Speakers in favor:

1. David Madden, Esq., Richardson Madden PC, LLC, 11819 Miracle Hills Drive, Suite 104, Omaha, NE 68154

Speakers against: None

The City Planning Commission recommended approval of the request of Ryan Companies US, Inc., represented by David R. Madden, Esq., to adopt a planned commercial development plan for property legally described as Lot 2, Bluffs Vision 4 Subdivision, City of Council Bluffs, Pottawattamie County, Iowa, subject to the comments and conditions above and the following conditions:

1. This development plan shall not become effective until such time that the Zoning Board of Adjustment issues a conditional use permit for an 'indoor automobile sales and rental' use for the subject property, and
2. The subject property shall abide by all conditions stated above and any additional conditions adopted with the conditional use permit.

VOTE: AYE – Bailey, Bass, Halm, Hutcheson, Knauss, Rew, Rater, Scott, Stroebele and Van Houten. NAY – None. ABSTAIN – Opperman. ABSENT – None. VACANT - None Motion: Carried.

Attachments

Attachment A: Zoning/Location Case Map
Attachment B: Letter of Intent
Attachment C: Site Plan
Attachment D: Photometric Plan
Attachment E: Elevations and Signage
Attachment F: Landscape Plan

Prepared by: Brandon Siracuse, Planner

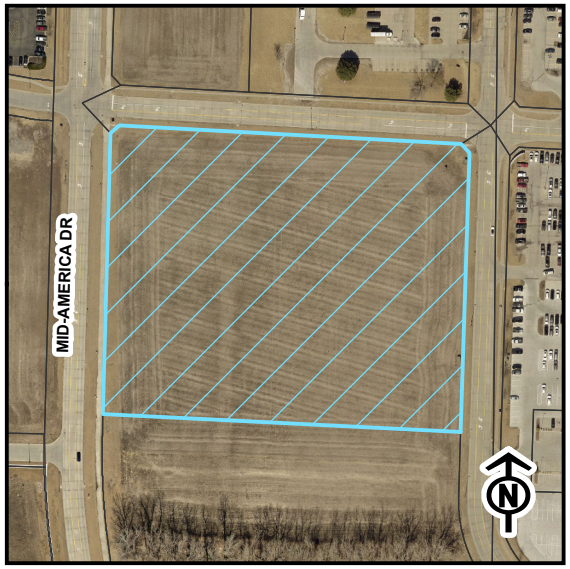
Attachment A

CITY OF COUNCIL BLUFFS - ZONING BOARD OF ADJUSTMENT
CASE #CU-22-005 LOCATION/ZONING MAP

Case #CU-22-005 Subject Property

0 125 250

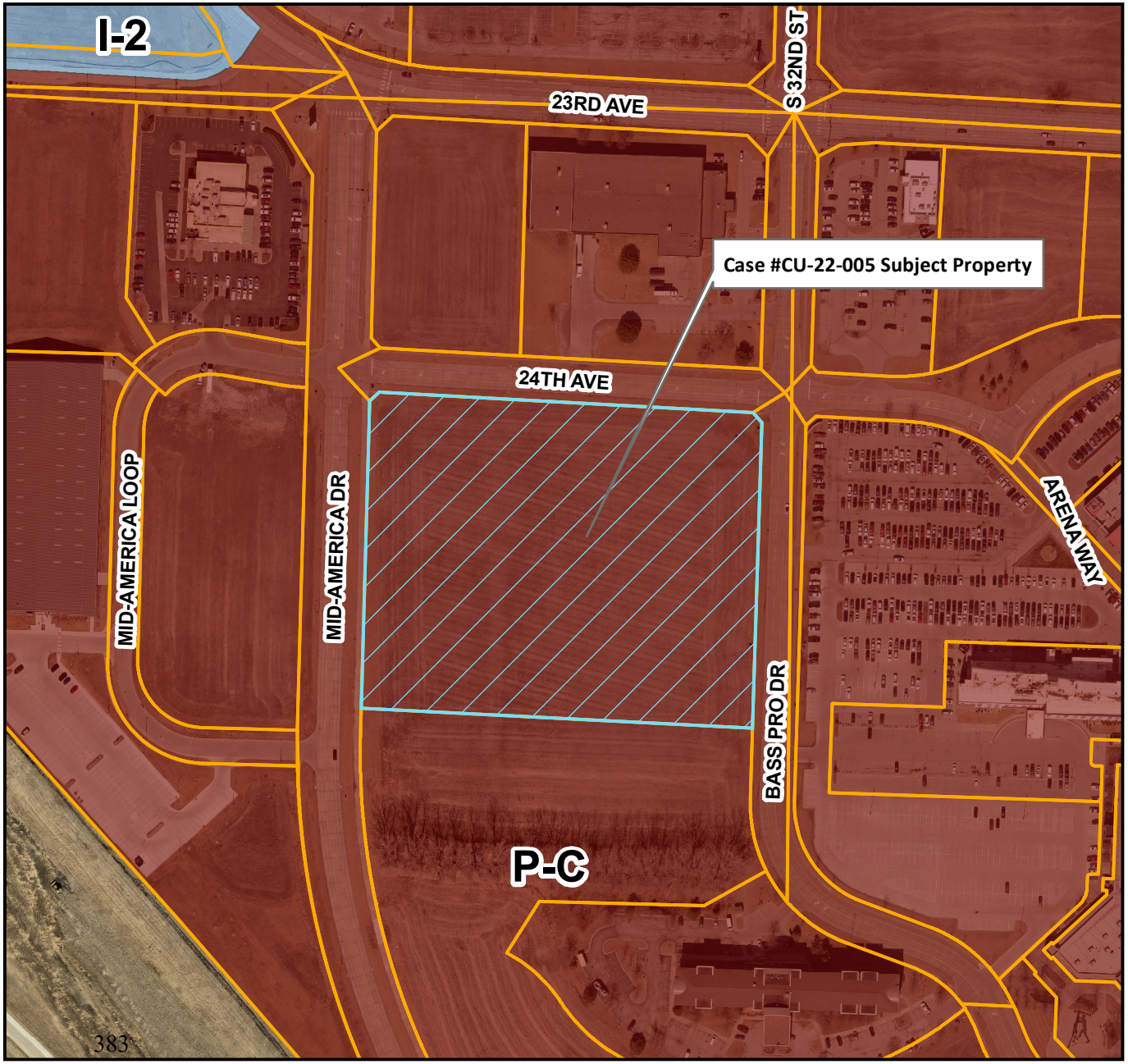
1 Inch = 250 Feet



Last Amended: 10/14/2022

Council Bluffs Community
Development Department
209 Pearl Street
Council Bluffs, IA 51503
Telephone: (712) 890-5350

DISCLAIMER
This map is prepared and compiled from City documents, plans and other public records data. Users of this map are hereby notified that the City expressely denies any and all responsibilities for errors, if any, in the information contained on this mapof the misuse 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 B

EV Manufacturer

Operational Letter – EV Service Center in Council Bluffs, IA

An EV Manufacturer is proposing a new ~50,000S.F. ground up Service Center at Mid-American Drive, Council Bluffs, IA. We plan on using this property for a EV Manufacturer electric service, leasing, and delivery of leased vehicles.

EV Manufacturer produces electric vehicles that solely use electricity and no gasoline; it is not a hybrid vehicle. Our vehicles don't have internal combustion engines (ICE); thus, the vehicle doesn't have a fuel tank, use oil, an exhaust system, transmission, or many of the other components that require the storage and use of hazardous materials on site or traditional vehicle ventilation. Our vehicles are extremely environmentally sensitive.

Our showroom will have energy products and two vehicles on display for customers to experience our vehicles. Customers will also be able to perform a demonstration drive with the vehicles, there will be 4-6 demo vehicles on-site. Leased vehicles will be stored and taken possession of upon delivery. .400 parks will be needed to support operations in the area as we are expecting large volumes of customers statewide from Nebraska and Iowa. In addition, the requirement for multiple shifts will lead to more service vehicles on site and additional employee vehicles during the short overlap periods. The typical national prototype recommendation from the EV Manufacturer Analytics department for future sites of 50,000is 400 parking spaces since historically our sites outgrow parking requirements faster than expected. The breakdown, including growth projections is approximately 100+/- parking stalls will be used for customers and employees, 125 stalls will be for service vehicles, 60 for delivery of leased vehicles, 50 loaner vehicles, 6 Test Drive Vehicles, 15 mobile service vehicles, and the remainder is a contingency for growth above our projections . We plan to screen the vehicle parking area with adequate landscaping to provide visual enhancement at the parking area.

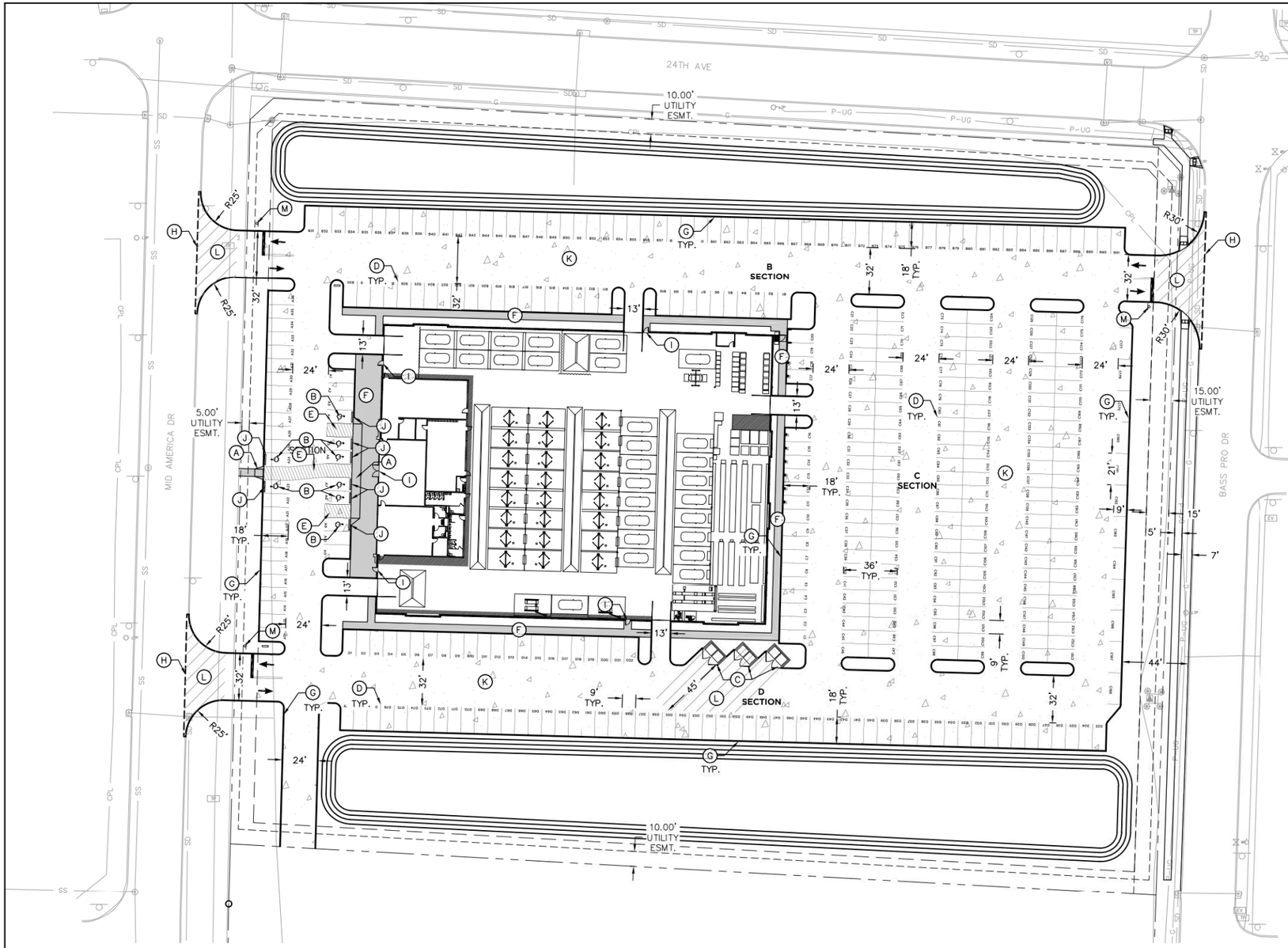
The service work that will be done here will be standard servicing of our electric vehicles, which will include software updates, tire replacement, tire balancing, alignment, minor body work (only replacing doors or the rear hatch), topping off water, and an occasional battery replacement. There will be no major automotive repair work done on the property. No damaged vehicle parts, components, materials, etc. will be stored outside. No unsold or unleased inventory will be stored outside other than what is disclosed further in this letter.

Most service repairs are handled in under an hour or two. In this case, typically customers make use of the customer lounge while their vehicle is repaired. In the case where vehicle repairs will take several hours, customers have the option of waiting at the center or taking a vehicle from our loaner fleet while they await the repair. The approximate number of vehicles on site at any given time is ~50 and up to ~100 at end of quarter. Service will operate twenty-six lifts and twenty work bays, and ~6,800 sq. ft of parts storage. The expected demand for this center is 45 daily vehicles. Hazardous chemicals stored in this facility are extremely minimal quantities, consisting primarily of cleaning materials, no oil, no gasoline, or other hazardous substances traditionally part of internal combustion vehicle repairs will be found at this service center. Moving EV Manufacturer vehicles within an interior space is extremely environmentally safe, as the vehicles have no exhaust.

Expected customer facing hours of operation for this EV Manufacturer Center are Monday through Saturday from 7:00AM to 7:00PM and closed on Sundays. Employee hours will be 7AM to 7PM Monday through Saturday, with a potential second shift till 12:00AM and Sunday hours of operation when customer volumes support the need. Total employee count is expected to be about 15-20 employees, 10-15 of which would be certified technicians (mechanics) /service support staff, and 5-10 of which would be leasing team members.

At EV Manufacturer, we strive to achieve an uncompromising approach to our vehicles. Our intention is to provide manufacturer support to every vehicle we build from centrally centers throughout the country. Without a doubt, the Council Bluffs area is part of our customer heartland, and we hope to be welcomed as part of the City's high standards of quality and lifestyle.

Attachment C

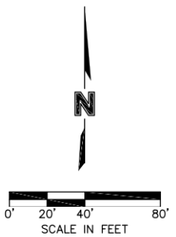


SITE KEY NOTES	
A	CONSTRUCT CURB RAMP PER ADA REGULATIONS AND LOCAL JURISDICTIONAL REQUIREMENTS. REFERENCE DETAIL SHEET. REFERENCE PLAN FOR CURB RAMP TYPE.
B	INSTALL ADA PARKING STALL AND ASSOCIATED STRIPING AND SIGNAGE PER ADA REGULATIONS AND LOCAL JURISDICTIONAL REQUIREMENTS. REFERENCE DETAIL SHEET.
C	TRASH ENCLOSURE. REFERENCE ARCHITECTURAL PLANS. CONSTRUCT HEAVY DUTY PAVEMENT APRON AS SHOWN ON PLAN.
D	INSTALL 4–INCH WHITE PAVEMENT STRIPING.
E	INSTALL 4–INCH WHITE PAVEMENT STRIPING AT 45°, 2–FEET O.C.
F	CONSTRUCT 4–INCH THICK, 5–FOOT WIDE P.C.C. SIDEWALK. REFERENCE DETAIL SHEET.
G	CONSTRUCT P.C.C. INTEGRAL CURB AND GUTTER. REFERENCE DETAIL SHEET.
H	SAWCUT EXISTING PAVEMENT, FULL DEPTH AND CONSTRUCT THICKENED EDGE. REFERENCE DETAIL SHEET.
I	STRUCTURAL STOOP AND DOOR. REFERENCE ARCHITECTURAL PLANS FOR EXACT LOCATION, SIZE, AND SLOPE.
J	INSTALL PRECAST CONCRETE WHEEL STOP. REFERENCE DETAIL SHEET.
K	CONSTRUCT X–INCH THICK STANDARD DUTY P.C. CONCRETE PAVEMENT. REFERENCE DETAIL SHEET.
L	CONSTRUCT X–INCH THICK HEAVY DUTY P.C. CONCRETE PAVEMENT. REFERENCE DETAIL SHEET.
M	INSTALL STOP SIGN PER MUTCD STANDARDS. REFERENCE DETAIL SHEET FOR INSTALLATION DETAIL.

SITE INFORMATION TABLE	
LEGAL DESCRIPTION:	UFFS VISION 4 SUBDIVISION LOT 4 (7.16 AC)
EXISTING ZONING:	P–C
PROPOSED ZONING:	P–C
SETBACKS:	
FRONT:	20 FEET
REAR:	20 FEET
INTERIOR SIDE YARD:	5 FEET
STREET SIDE:	15 FEET
PARKING REQUIREMENTS:	
REQUIRED:	102 STALLS REQUIRED (1 STALL PER 500 SF OF BUILDING SPACE, 50850 SF)
PROVIDED:	394 TOTAL STALLS
ACCESSIBLE PARKING:	
REQUIRED:	8 TOTAL (INCLUDING 2 VAN ACCESSIBLE)
PROVIDED:	8 TOTAL (INCLUDING 4 VAN ACCESSIBLE)

NOTES

1. ALL DIMENSIONS SHOWN ARE TO BACK OF CURB. ALL RADII ARE 4' UNLESS OTHERWISE NOTED.
2. ALL CURB AND GUTTER SHALL BE TYPE 'A' INTEGRAL CURB PER CITY OF OMAHA STANDARD PLATE 502–01, UNLESS OTHERWISE NOTED.
3. CONTRACTOR SHALL SUBMIT SHOP DRAWINGS OF SIDEWALK AND PAVEMENT JOINTING PLAN TO ENGINEER FOR APPROVAL PRIOR TO CONSTRUCTION.



SITE DESIGN CONSIDERATIONS:

- 50' TURNING RADIUS (75'–80' CAR HAULER + TRUCKS WITH UP TO 10' OVERHANG)
- 80,000 MAX WEIGHT OF LOADED HAULER CAN DAMAGE SOME PARKING LOTS.
- 14' HEIGHT CLEARANCE (TREES & OVERHANGS)
- SLOPE AND 10' MIN. WIDTH AT SITE ENTRY/EXIT DRIVEWAY. LOW EQUIPMENT CAN BOTTOM OUT AND DAMAGE EQUIPMENT OR ASPHALT/SIDEWALK OR HALT OPERATIONS UNTIL VEHICLE IS CLEARED.
- TRUCK ROUTE FROM FREEWAY TO SITE MUST SATISFY TURNING RADIUS AND OVERHEAD CLEARANCES. SOME STREETS HAVE LIMITATIONS TO SIZE OF VEHICLE.
- LOADING/UNLOADING ZONES AWAY FROM HEAVY TRAFFIC 200 CARS/DAY = 25 +/– TRUCKS/DAY
- SHARED DRIVES OR EASEMENTS CAN RESTRICT ACCESS TO SITE.
- 24/7 LOADING/UNLOADING ADJACENT TO RESIDENTIAL (NOISE ORDINANCES OR RESTRICTIONS)

811 Know what's below. Call before you dig.
CALL 811 SEVENTY–TWO HOURS PRIOR TO DIGGING, GRADING OR EXCAVATING FOR THE MARKING OF UNDERGROUND MEMBER UTILITIES.

ALLEY POYNER MACCHIETTO ARCHITECTURE

olsson

2111 South 67th Street, Suite 200
Omaha, NE 68106
TEL 402.341.1116
www.olsson.com

EV TENANT

BASS PRO DRIVE
COUNCIL BLUFFS, IA
51501

ISSUE/REVISION
OCTOBER 10TH, 2022
BEFORE BID AWARD
XX.XX.XX ADDENDUM 1
AFTER BID AWARD
XX.XX.XX REVISION 1

NOT FOR CONSTRUCTION

DRAWING TITLE
SITE PLAN

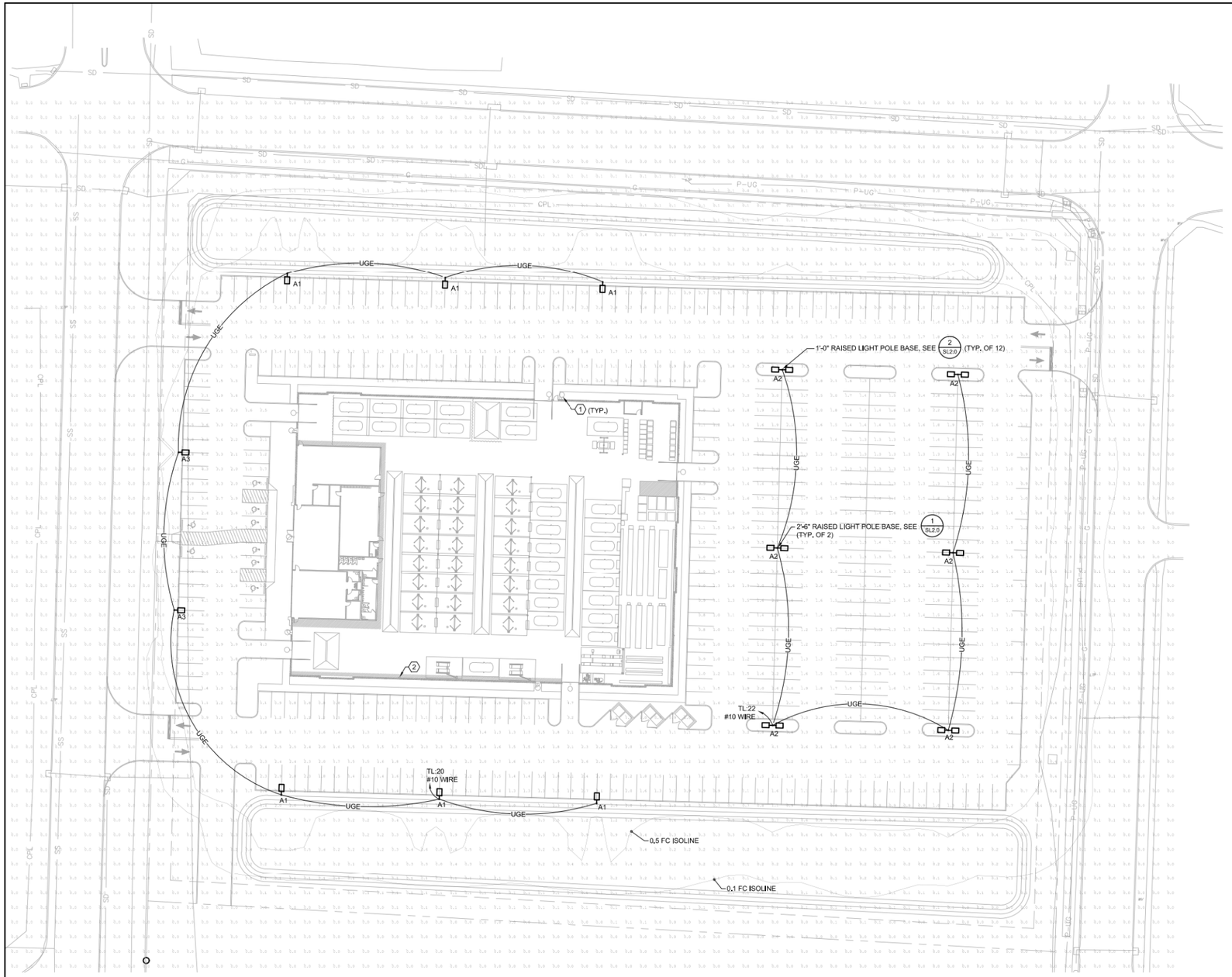
SCALE: AS SHOWN
PROJECT NUMBER: 22069

SHEET NUMBER
C3.01

© COPYRIGHT 2022 TH[illegible]TORS, INC. ALL RIGHTS RESERVED. PROPRIETARY AND CONFIDENTIAL BUSINESS INFORMATION

9/28/2022 6:51:32 AM

Attachment D



ELECTRICAL SYMBOLS:

- X1 — SINGLE HEAD AREA LIGHT, LETTER INDICATES FIXTURE TYPE
- X1 — DOUBLE HEAD AREA LIGHT, LETTER INDICATES FIXTURE TYPE
- UGE — UNDERGROUND ELECTRICAL

GENERAL NOTES:

A. ALL CIRCUITING/CONDUIT/CONDUCTORS INDICATED ON PLAN SHALL BE CONSIDERED A GRAPHIC REPRESENTATION. CONTRACTOR SHALL DETERMINE ALL ROUTING OF CONDUITS IN FIELD. EXACT ROUTING AND STUB-UP LOCATIONS SHALL BE COORDINATED IN FIELD WITH OWNER/CONSTRUCTION MANAGER (AND UTILITY COMPANY WHEN APPLICABLE).

B. ANY CONDUCTOR SIZES NOTED ON ELECTRICAL SITE PLAN, BASED ON ESTIMATED LENGTHS OF CONDUIT RUNS AND CALCULATED LOADS, THROUGHOUT THE PROPOSED CIRCUITING INDICATED ON PLAN. CONDUIT/CONDUCTOR SIZES SHOWN ON PLAN SHALL BE CONSIDERED THE MINIMUM SIZE REQUIREMENTS. CONTRACTOR TO ADJUST WIRE SIZES (AND CONDUIT SIZES, AS REQUIRED) TO ACCOUNT FOR VOLTAGE DROP BASED ON ACTUAL ROUTING OF CONDUIT/CONDUCTORS DETERMINED IN FIELD.

C. CONTRACTOR TO FIELD VERIFY ALL UTILITIES IN AREA OF WORK PRIOR TO ANY TRENCHING/BORING.

D. COORDINATE ROUTING OF CONDUITS WITH ALL OTHER DISCIPLINES IN FIELD.

E. WHEN POSSIBLE ALL CONDUITS SHALL BE INSTALLED PRIOR TO PARKING LOT/SIDEWALK CONSTRUCTION. CONTRACTOR TO PATCH AND REPAIR ANY CONCRETE/PAVEMENT DISTURBED DURING CONSTRUCTION/ROUTING OF CONDUITS, IN A MANNER APPROVED BY OWNER/CONSTRUCTION MANAGER.

F. ALL CONDUITS, CONDUCTORS, AND JUNCTION BOXES INSTALLED UNDERGROUND SHALL BE WET LOCATION RATED. PROVIDE TRAFFIC RATED JUNCTION BOXES, AS NEEDED, BASED ON INSTALLATION LOCATION.

G. ALL UNDERGROUND CONDUITS SHALL BE INSTALLED IN COMPLIANCE WITH SECTION 300.5 OF THE NEC.

H. CONDUIT BENDS - NUMBER OF BENDS IN ONE RUN. THERE SHALL NOT BE MORE THAN THE EQUIVALENT OF FOUR QUARTER BENDS (360 DEGREES TOTAL) BETWEEN PULL POINTS (I.E. JUNCTION BOX). CONTRACTOR TO PROVIDE ADDITIONAL JUNCTION BOXES AS NEEDED. (NOTE: ALL JUNCTION BOXES SHALL BE RATED (PER CODE) FOR THE LOCATION FOR WHICH THEY ARE INSTALLED I.E. W.P. AND/OR TRAFFIC-RATED.)

I. REFER TO CIVIL AND ARCHITECTURAL DRAWINGS FOR ADDITIONAL INFORMATION/REQUIREMENTS.

J. LIGHTING CONTROL SYSTEM:

a. BASIS OF DESIGN FOR THE OVERALL LIGHTING CONTROL SYSTEM SHALL BE THE LUTRON VIVE SYSTEM.

b. PROVIDE ALL SWITCHES, SENSORS, LOAD CONTROLLERS, CONTROLLERS, SYSTEM INTERFACES, AND ACCESSORIES NECESSARY FOR A COMPLETE INSTALLATION.

c. EXTERIOR LIGHTING CONTROLS SHALL INCLUDED ALL COMPONENTS NECESSARY FOR DUSK-TO-DAWN OPERATION.

SHEET KEYNOTES:

1. EXTERIOR LED WALL PACK. REFER TO BUILDING ELECTRICAL PLANS FOR FIXTURE TYPE, LOCATION, AND CIRCUITING.
2. APPROXIMATE LOCATION OF PANEL 'TL' (277/480V, 3-PH, 4-WIRE). REFER TO BUILDING ELECTRICAL PLANS FOR FINAL LOCATION.

SITE LIGHTING FIXTURE SCHEDULE

TYPE	MANUFACTURER	CATALOG NUMBER	LAMP NO.	LAMP TYPE	POLE MTG. HT.	POLE TYPE	DESCRIPTION	KEYED NOTES
A1	LITHONIA	DSX1 LED P6 40K TFTM MVOLT RPA DDBXD G1	-	40-LED, 1400mA, 163W, 4000K, 70 CRI, TYPE IV	25'-0"	RSS	LED AREA LIGHT	1
A2	LITHONIA	DSX1 LED P5 40K T4M MVOLT RPA DDBXD G1	-	30-LED, 1400mA, 138W, 4000K, 70 CRI, TYPE IV	25'-0"	RSS	LED AREA LIGHT	2 3
A3	LITHONIA	DSX1 LED P6 40K BLC MVOLT RPA DDBXD G1	-	40-LED, 1400mA, 163W, 4000K, 70 CRI, TYPE III	25'-0"	RSS	LED AREA LIGHT	1

RSS - ROUND STRAIGHT STEEL; RTS - ROUND TAPERED STEEL; SSS - SQUARE STRAIGHT STEEL; STS - SQUARE TAPERED STEEL
RSA - ROUND STRAIGHT ALUMINUM; RTA - ROUND TAPERED ALUMINUM; SSS - SQUARE STRAIGHT ALUMINUM

SCHEDULE KEYED NOTES:
1. PROVIDE 24'-0" ROUND STRAIGHT STEEL POLE. LITHONIA CATALOG NO. RSS-24-5B-DMXXAS-VD-TP-EHH10N-DDBXD.
2. FOR 1'-0" RAISED CONCRETE FOUNDATION, PROVIDE 24'-0" ROUND STRAIGHT STEEL POLE. LITHONIA CATALOG NO. RSS-24-5B-DMXXAS-VD-TP-EHH10N-DDBXD.
3. FOR 2'-6" RAISED CONCRETE FOUNDATION, PROVIDE 22'-6" ROUND STRAIGHT STEEL POLE. LITHONIA CATALOG NO. RSS-22-6-5B-DMXXAS-VD-TP-EHH10N-DDBD.

PARKING LOT LIGHTING CALCULATION STATISTICS

AVERAGE FOOTCANDLES	1.75
MAXIMUM FOOTCANDLES	5.9
MINIMUM FOOTCANDLES	0.6
MAX-TO-MIN RATIO	9.83:1
AVG-TO-MIN RATIO	2.92:1

GENERAL NOTES:
1. CALCULATIONS ARE BASED ON FIXTURE TYPE SCHEDULED. IF FIXTURE OTHER THAN THOSE SPECIFIED IS PROVIDED, THE MANUFACTURER SHALL PROVIDE A DETAILED POINT-BY-POINT CALCULATION TO VERIFY COMPLIANCE WITH LOCAL STREET AND PARKING LOT LIGHTING GUIDELINES.

2. CALCULATIONS DO NOT INCLUDE CONTRIBUTIONS FROM STREET LIGHT FIXTURES. ACTUAL FOOTCANDLE LEVELS MAY VARY DEPENDING ON LOCATIONS AND QUANTITIES OF FIXTURES OUTSIDE OF PROPERTY LINE.

N

0' 20' 40' 80'
SCALE IN FEET

811 Know what's below. Call before you dig.
CALL 811 SEVENTY–TWO HOURS PRIOR TO DIGGING, GRADING OR EXCAVATING FOR THE MARKING OF UNDERGROUND MEMBER UTILITIES.

ALLEY POYNER MACCHIETTO ARCHITECTURE

olsson
2111 South 67th Street, Suite 200
Omaha, NE 68106
TEL 402.341.1116
www.olsson.com

EV TENANT

BASS PRO DRIVE
COUNCIL BLUFFS, IA
51501

ISSUE/REVISION
OCTOBER 10TH, 2022

BEFORE BID AWARD
XX.XX.XX ADDENDUM 1

AFTER BID AWARD
XX.XX.XX REVISION 1

NOT FOR CONSTRUCTION

DRAWING TITLE
SITE LIGHTING PLAN

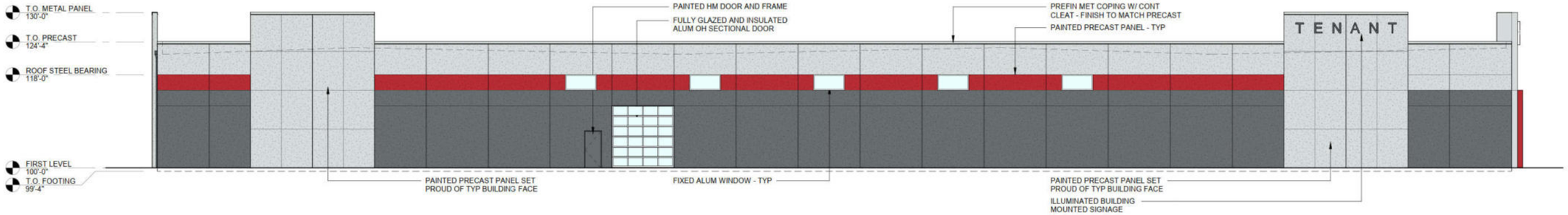
SCALE: AS SHOWN
PROJECT NUMBER: 22069

SHEET NUMBER
SL1.01

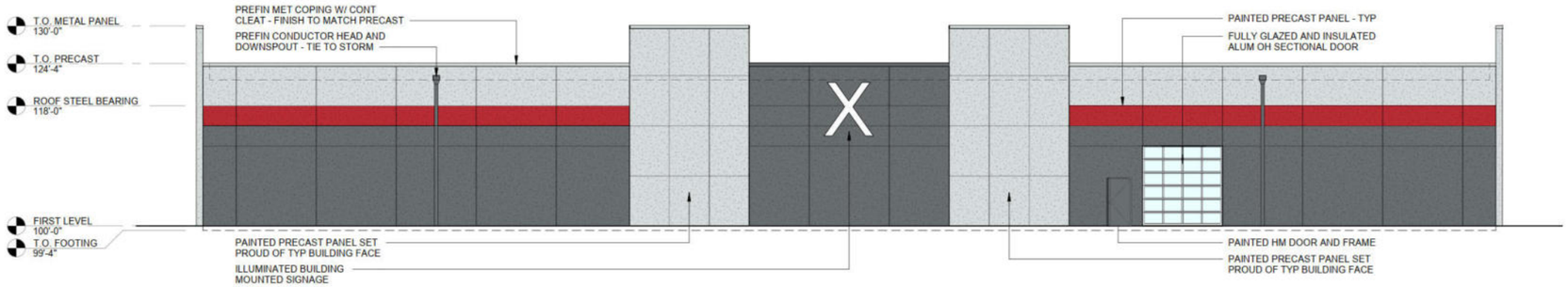
© COPYRIGHT 2022 TE[redacted]TORS, INC. ALL RIGHTS RESERVED. PROPRIETARY AND CONFIDENTIAL BUSINESS INFORMATION

10/10/2022 2:23:49 PM

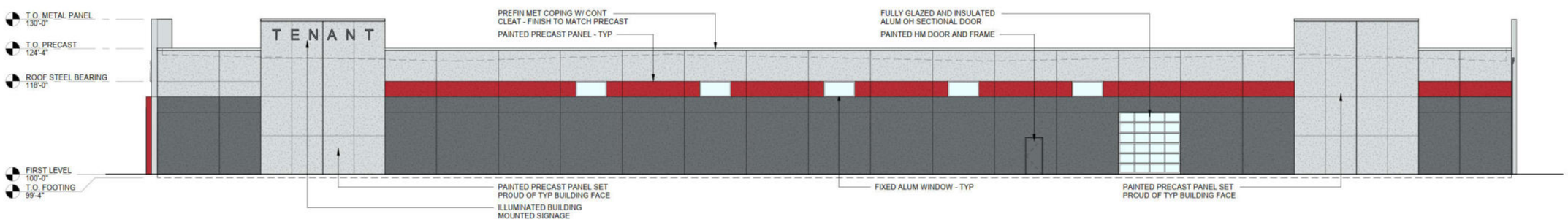
Attachment E



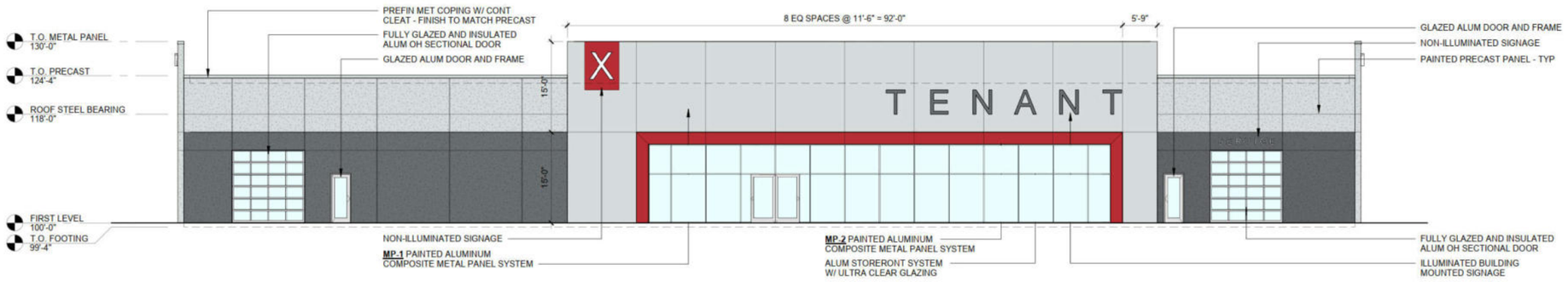
4 EXTERIOR ELEVATION - OVERALL NORTH
A4.01 SCALE: 3/32" = 1'-0"



3 EXTERIOR ELEVATION - OVERALL EAST
A4.01 SCALE: 3/32" = 1'-0"



2 EXTERIOR ELEVATION - OVERALL SOUTH
A4.01 SCALE: 3/32" = 1'-0"



1 EXTERIOR ELEVATION - OVERALL WEST
A4.01 SCALE: 3/32" = 1'-0"

ALLEY POYNER
MACCHIETTO
ARCHITECTURE

EV TENANT

BASS PRO DRIVE
COUNCIL BLUFFS, IA
51501

ISSUE/REVISION
OCTOBER 10TH, 2022

£

BEFORE BID AWARD
XX.XX.XX ADDENDUM 1

NOT FOR CONSTRUCTION

AFTER BID AWARD
XX.XX.XX REVISION 1

DRAWING TITLE

EXTERIOR ELEVATIONS

SCALE: AS SHOWN
PROJECT NUMBER: 22069

SHEET NUMBER

A4.01

10/11/2022 5:25:04 PM

Attachment E

CODE INFORMATION

NONSEPARATED OCCUPANCIES:
(BASED ON S-1 OCCUPANCY) * USE MOST RESTRICTIVE CATEGORY
S1-REPAIR GARAGE BUILDING AREA = X,XXX S.F.
* VARIES PER PROJECT

ALLOWABLE AREA CALCULATION:
2009 INTERNATIONAL BUILDING CODE, SECTION 506, TABLE 503 AND EQUATION 5-1

ALLOWABLE BUILDING AREA =
TABULAR ALLOWABLE AREA + [TABULAR ALLOWABLE AREA x SPRINKLER INCREASE FACTOR]
= XX,XXX + [XX,XXX x #] = ##,### S.F.
XXXX
##,### = XX ≤ #

ADDITIONAL SITE PLAN KEY NOTES

- (#) 14/50 RECEPTACLES (WALL MOUNTED), B.O. UNIT AT 3'-6" A.F.F. TYPICAL OF ## AT XXXXX.
- (#) MAIN BREAKER
- (#) TRANSFORMER
- (#) #### KVA TRANSFORMER

PARKING CALCULATIONS

CODE X, CHAPTER X (TABLE X)

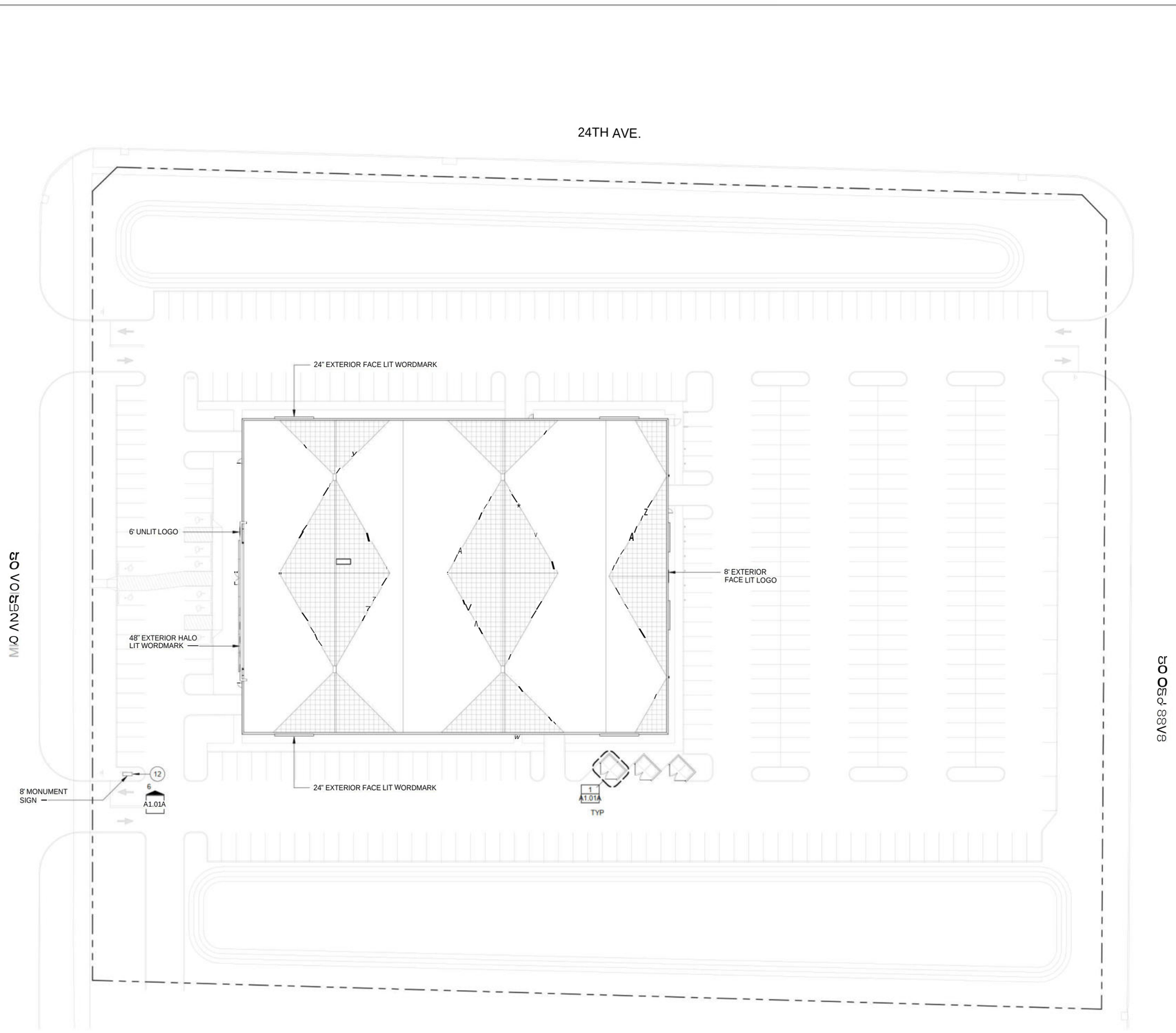
GROUP B (AUTOMOBILE SHOWROOM):
GROUP B (AUTOMOBILE SERVICE):
GROUP B (ACCESSIBLE):
GROUP B (VAN ACCESSIBLE):

	REQUIRED	PROVIDED
AUTOMOBILE SHOWROOM	X	X
AUTOMOBILE SERVICE	X	X
ACCESSIBLE	X	X
VAN ACCESSIBLE	X	X
TOTAL	X	X

PARKING CALCULATIONS

- (E) LANDSCAPE AREA
- PROPERTY LINE
- PROPERTY SET BACK
- ACCESSIBLE PATH OF TRAVEL
- ACCESSIBLE ROUTE. 4'-0" WIDE MINIMUM, 5'-0" WIDE AT DOORWAYS. 4" WHITE PAINTED STRIPING, SPACED AT 3'-0" ON CENTER, AT 30 DEGREE ANGLE.
- V — HIGH POWER POST MOUNTED WALL CONNECTOR. SEE DETAIL 1/A8.02 & ELECTRICAL DRAWINGS.
- C — COMPACT STALL
- S — STANDARD PARKING STALL
- EV — ELECTRIC CAR CHARGING STALL
- A — ACCESSIBLE PARKING STALL
- A-V — ACCESSIBLE VAN PARKING STALL

1. PROPERTY LINE
2. EGRESS DOOR, SEE 3/A0.02
3. 1 (E) ACCESSIBLE PARKING SIGNAGE, SEE DETAIL 1/A0.03
4. TRANSFORMER, SEE ELECTRICAL DRAWINGS
5. (E) GAS METER
6. NOT USED
7. SURFACE MOUNTED KEY DROP BOX. NOTE: THRU WALL DROP BOX IS FOR HIGH SECURITY AREAS.
8. POST-MOUNTED WALL CONNECTOR, SEE ELECTRICAL DRAWINGS, INSTALL PER MANUFACTURER'S RECOMMENDATIONS. SEE DETAIL 1/A8.02
9. (E) FIRE HYDRANT
10. FIRE DEPARTMENT CONNECTION
11. NOT USED
12. INTERNALLY ILLUMINATED 8'-0" HIGH MONUMENT SIGN, LOCATION AND SIZE TO BE CONFIRMED PER PROJECT WITH DM.
13. V3 CHARGING CABINET, SEE A8.02b/A8.02c FOR DETAILS.
14. CONCRETE PAD FOR CHARGING CABINET, SEE STRUCTURAL DRAWING FOR DETAIL
15. CHARGING POSTS, SEE A8.02b/A8.02c FOR DETAILS. DASHED LINE INDICATES CHARGING CABLE REACH
16. POLE MOUNTED SITE LIGHTING



1 SITE PLAN
A1.01 SCALE: 1/32" = 1'-0"
0' 4' 8' 16' 32'

N

ALLEY POYNER MACCHIETTO ARCHITECTURE

EV TENANT

BASS PRO DRIVE
COUNCIL BLUFFS, IA
51501

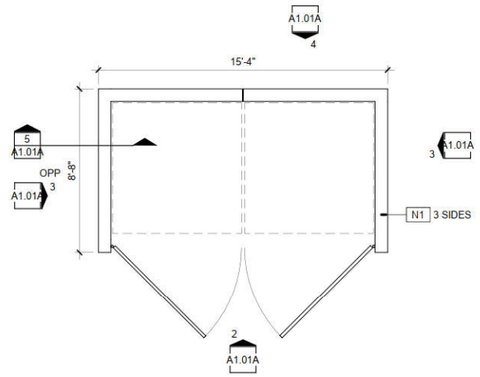
ISSUE/REVISION
OCTOBER 10TH, 2022
BEFORE BID AWARD
XX.XX.XX ADDENDUM 1
AFTER BID
XX.XX.XX REVISION 1

DRAWING TITLE
ARCHITECTURAL SITE PLAN

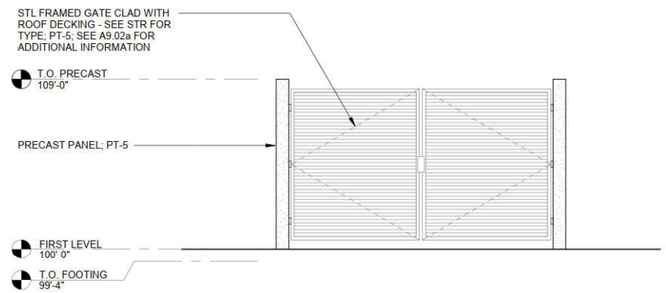
SCALE: AS SHOWN
PROJECT NUMBER: 22069

SHEET NUMBER
A1.01

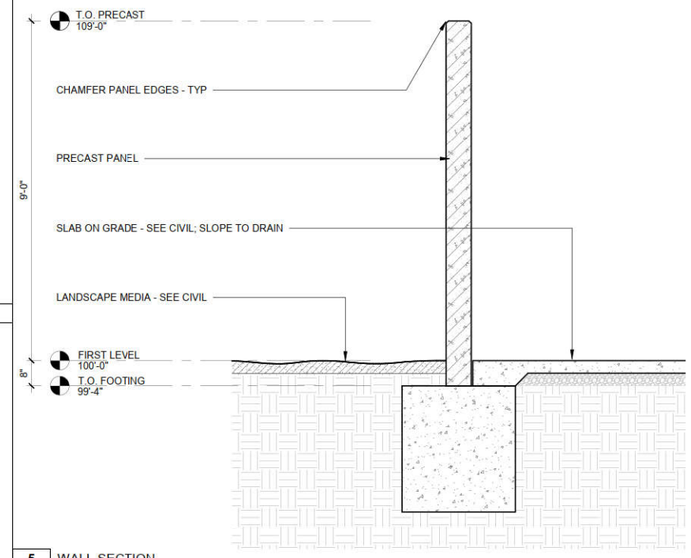
10/10/2022 1:19:48 PM



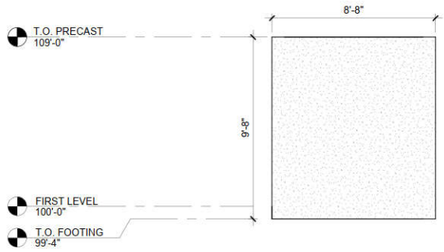
1 A1.01A ENLARGED PLAN - TYP TRASH ENCLOSURE
SCALE: 1/4" = 1'-0"



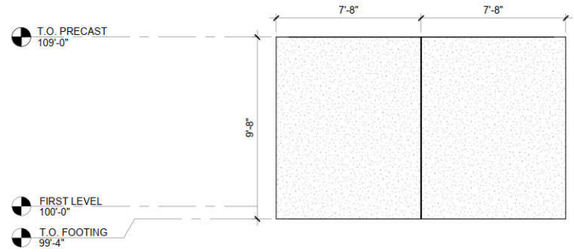
2 A1.01A EXTERIOR ELEVATION - TRASH ENCLOSURE FRONT
SCALE: 1/4" = 1'-0"



5 A1.01A WALL SECTION
SCALE: 1/2" = 1'-0"

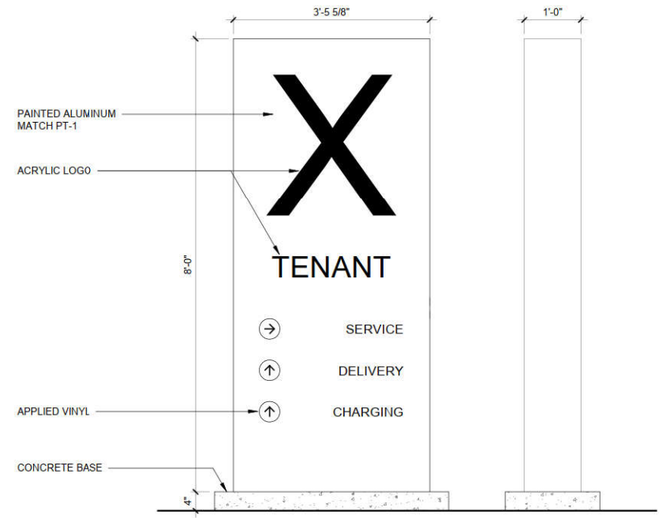


3 A1.01A PRECAST ELEVATION - TRASH ENCLOSURE TYP SIDE
SCALE: 1/4" = 1'-0"



4 A1.01A PRECAST ELEVATION - TRASH ENCLOSURE BACK
SCALE: 1/4" = 1'-0"

NOTE:
SEE PROTOTYPE SIGNAGE MANUAL FOR ADDITIONAL INFORMATION



6 A1.01A MONUMENT SIGN
SCALE: 3/4" = 1'-0"

ALLEY POYNER MACCHIETTO ARCHITECTURE

EV TENANT

BASS PRO DRIVE
COUNCIL BLUFFS, IA
51501

ISSUE/REVISION
OCTOBER 10TH, 2022

BEFORE BID AWARD
XX.XX.XX ADDENDUM 1

AFTER BID AWARD
XX.XX.XX REVISION 1

NOT FOR CONSTRUCTION

DRAWING TITLE

TRASH ENCLOSURE AND SITE SIGNAGE DETAILS

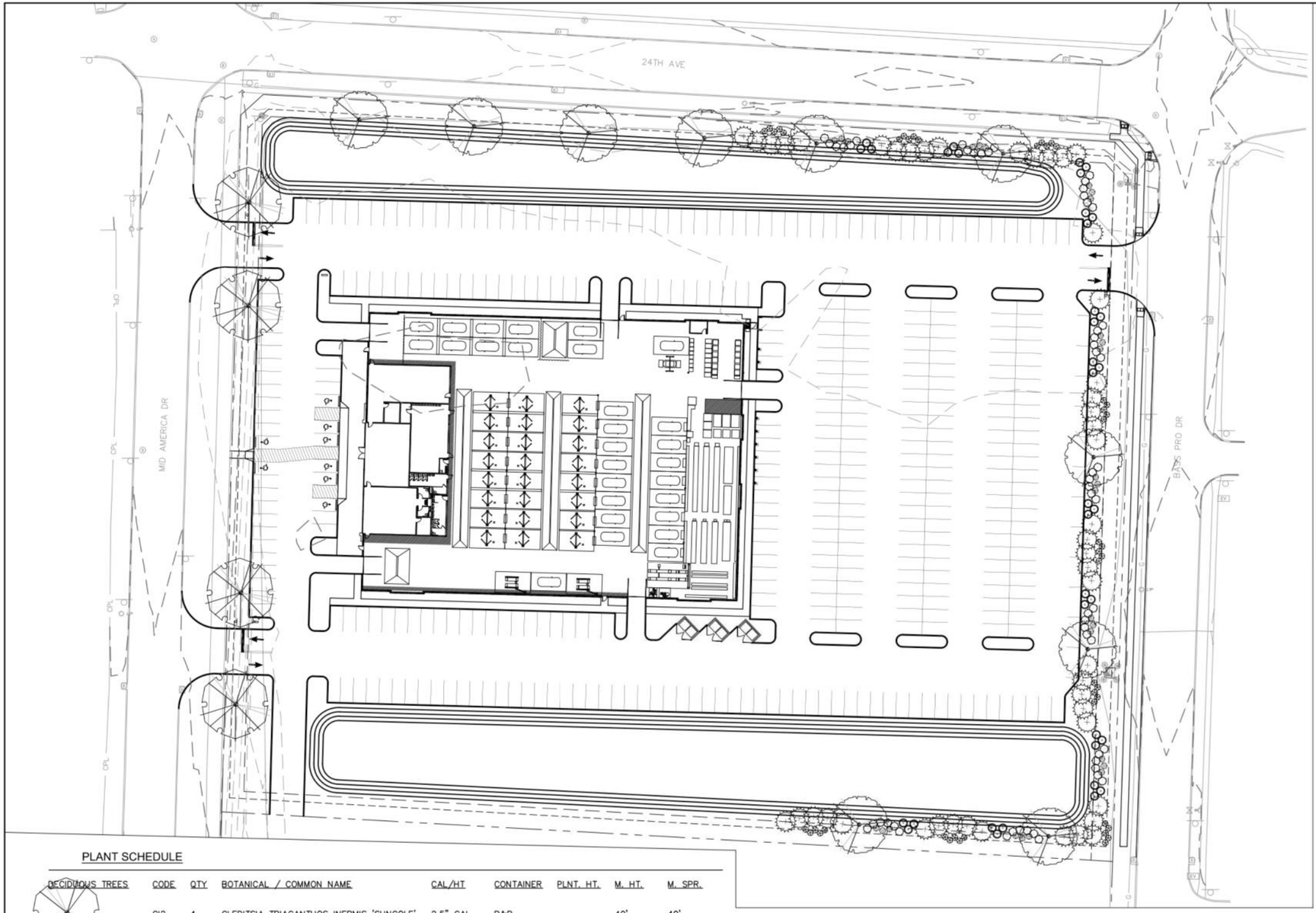
SCALE: AS SHOWN
PROJECT NUMBER: 22069

SHEET NUMBER

A1.01A

10/11/2022 4:03:28 PM

Attachment F



PLANT SCHEDULE

DECIDUOUS TREES	CODE	QTY	BOTANICAL / COMMON NAME	CAL/HT	CONTAINER	PLNT. HT.	M. HT.	M. SPR.
	GI2	4	GLEDITSIA TRIACANTHOS INERMIS 'SUNCOLE' SUNBURST HONEY LOCUST	2.5" CAL.	B&B		40'	40'
	QS	10	QUERCUS BICOLOR SWAMP WHITE OAK	2.5" CAL.	B&B	6'	70'	50'

SHRUBS	CODE	QTY	BOTANICAL / COMMON NAME	CONTAINER	M.HT.	M.SPR.	PLNT.HT.
	HA	45	HYDRANGEA ARBORESCENS 'ANNABELLE' ANNABELLE HYDRANGEA	3 GAL.	4'	4'	2'
	RB2	27	RHUS TYPHINA 'BAILTIGER' TIGER EYES®STAGHORN SUMAC	3 GAL.	6'	6'	2'

EVERGREEN SHRUBS	CODE	QTY	BOTANICAL / COMMON NAME	CONTAINER	M.HT.	M.SPR.	PLNT.HT.
	JB4	36	JUNIPERUS CHINENSIS 'BLUE POINT' BLUE POINT JUNIPER	5 GAL.	12'	6'	3'
	JP	47	JUNIPERUS CHINENSIS PFITZERIANA PFITZER JUNIPER	3 GAL.	6'	15'	2'
	TE	54	TAXUS CUSPIDATA EXPANSA SPREADING JAPANESE YEW	3 GAL.	5'	8'	2'

N

0' 20' 40' 80'
SCALE IN FEET

PARKING LOT LANDSCAPE AREA CALCULATION

PARKING LOT AREA	S.F.	
REQ'D LANDS AREA	S.F.	10%
REQ'D TREES/350 S.F.		
LANDSCAPE AREA	S.F.	
PROVIDED TREES		

Know what's below. Call before you dig.
CALL 811 SEVENTY-TWO HOURS PRIOR TO DIGGING, GRADING OR EXCAVATING FOR THE MARKING OF UNDERGROUND MEMBER UTILITIES.

ALLEY POYNER MACCHIETTO ARCHITECTURE

olsson

2111 South 67th Street, Suite 200
Omaha, NE 68106
TEL 402.341.1116
www.olsson.com

EV TENANT

BASS PRO DRIVE
COUNCIL BLUFFS, IA
51501

ISSUE/REVISION
OCTOBER 10TH, 2022 £
BEFORE BIDAWARD
XX.XX.XX ADDENDUM 1
AFTER BIDAWARD
XX.XX.XX REVISION 1

NOT FOR CONSTRUCTION

DRAWING TITLE
LANDSCAPE PLAN

SCALE: AS SHOWN
PROJECT NUMBER: 22069

SHEET NUMBER
L1.01

© OLSSON, INC. 2022 ALL RIGHTS RESERVED. THIS DRAWING IS AN INSTRUMENT OF SERVICE AND IS THE PROPERTY OF OLSSON, INC. THIS DRAWING IS NOT TO BE USED FOR ANY PROJECT OTHER THAN THE ONE SPECIFICALLY INDICATED HEREIN AND SHALL NOT BE ALTERED WITHOUT THE WRITTEN CONSENT OF OLSSON, INC.

RESOLUTION NO. 22-315

A RESOLUTION ADOPTING A PLANNED COMMERCIAL DEVELOPMENT PLAN FOR PROPERTY LEGALLY DESCRIBED AS LOT 2, BLUFFS VISION 4 SUBDIVISION, CITY OF COUNCIL BLUFFS, POTTAWATTAMIE COUNTY, IOWA.

WHEREAS, Ryan Companies US, Inc. is requesting approval of a planned commercial development plan on undeveloped land lying at the southwest corner of 24th Avenue and Bass Pro Drive; and

WHEREAS, The following standards shall apply:

A. **Site Development and Operational Standards**

1. All principal and accessory structures on the subject property shall be subject to the following minimum setbacks:
   a. Front yard: 15 feet
   b. Interior side yard: 5 feet
   c. Street side yard: 10 feet
   d. Rear yard: 10 feet.
2. The maximum height for all principal structures shall not exceed 50 feet, and the maximum height for accessory structures shall not exceed 18 feet.
3. The maximum lot coverage for all structures on the subject property shall be 60% of the total lot area.
4. All trash receptacles shall be enclosed on three sides and completely screened from view with materials similar to those of the primary building. The enclosure shall have a lockable gate which, when closed, eliminates view of the trash receptacle.
5. All utilities shall be installed underground. Any cost to remove, relocate, modify, and/or extend utilities to this site shall be at the sole cost of the developer and not the City.
6. Outdoor storage shall not be permitted. This includes the temporary and/or permanent placement of inter-modal storage containers as well as vehicle parts and other products associated with vehicle maintenance and/or energy products. The parking of vehicles awaiting pickup by a customer shall not be considered outdoor storage.
7. A minimum four-foot wide sidewalk shall be provided along the Bass Pro Drive frontage. The existing sidewalk along 24th Avenue and the existing trail along Mid America Drive shall remain and, if damaged during construction, be repaired to their original state.
8. A minimum five-foot-wide pedestrian way shall be provided from the primary entrance of the building structure to the nearest sidewalk. The pedestrian way may be designated with pavement striping, change in paving material, or some other alternative

approved by the Community Development Department Director or their assign.

9. All fences shall be installed in accordance with Section 15.24.040, *Fence Regulations*, of the Council Bluffs Municipal Code (Zoning Ordinance).
10. All exterior lighting shall be installed in accordance with Section 15.24.050, *Lighting Controls*, of the Council Bluffs Municipal Code (Zoning Ordinance). Any proposed outdoor light poles shall be constructed out of painted or finished aluminum or steel. Wood poles shall not be allowed. The maximum height of any light pole shall not exceed 25 feet.
11. The applicant has submitted a photometric plan (see Attachment 'D') indicating that lighting will generally be contained within the property boundaries, with the exception of a minimal amount of light spillover across the northern, eastern, and western property lines. The light intensity across the northern and western property lines does not exceed 0.1 foot-candles in any location, and the light spillover across the eastern property line is limited to a maximum intensity of 0.4 foot-candles. The Community Development Department considers this acceptable and in line with Section 15.24.050 of the Municipal Code (Zoning Ordinance). A final photometric plan shall be submitted with the building permit application for the principal structure and shall be approved by the Community Development Department and the Public Works Department prior to installation of any outdoor lighting fixture.
12. Any installation of a solar energy conversion system(s) on the subject property shall be in accordance with the standards in Chapter 15.34, *Renewable Energy*, of the Municipal Code (Zoning Ordinance).
13. Hours of operation shall be those stated in the applicant's letter of intent.
14. Noise produced on the subject property shall conform to the regulations of Section 4.50, *Noise Control*, of the Municipal Code (Noise Ordinance).

B. **Off-Street Parking**

1. The proposed use is classified as 'indoor automobile sales and rental' and is required to provide a minimum of one parking space per 500 square feet of gross floor area, as per Section 15.23.060, *Parking Spaces*, of the Council Bluffs Municipal Code (Zoning Ordinance). Since the proposed facility will be 50,828 square feet in area, a minimum of 102 parking spaces is required. The submitted site plan shows a total of 394 parking stalls, which exceeds the minimum number of spaces required at this site. The developer has

offered justification for their parking needs in excess of the minimum in the letter of intent, and city code prohibits the use of the parking lot for the display of vehicle(s) for sale and/or lease.

2. All off-street parking areas, driveways, and drive aisles shall comply with the standards stated in Chapter 15.23, Off-Street Parking, Loading and Unloading, of the Council Bluffs Municipal Code (Zoning Ordinance).
3. All off-street parking lots shall comply with Chapter 661-18, Parking for Persons with Disabilities, of the Iowa Administrative Code.
4. No junked, wrecked, or inoperable vehicles shall be stored outdoors on the subject property.
5. Outdoor parking shall not be used for the display of inventory for sale and/or lease.
6. Vehicle parking on the subject property shall be limited to designated parking stalls only.
7. Vehicles parked outdoors on the subject property shall be limited to vehicles of customers and employees, vehicles awaiting service, vehicles contractually leased or sold to a customer and awaiting pickup, loaner fleet vehicles, demonstration vehicles, and mobile service vehicles, as outlined in the applicant's letter of intent.
8. Electric vehicle charging units and supporting equipment shall not impede parking, circulation, or designated pedestrian pathways.
9. Transformer boxes and other above-ground supporting equipment for electric vehicle charging units shall be screened with fencing and/or landscaping that extends at least six (6) inches above the highest point of the equipment or be wrapped with artwork.
10. A parking lot permit shall be submitted with the building permit application for the proposed EV Manufacturer facility. The plan shall clearly identify the number, location, and dimension of all drive aisles, parking spaces, pedestrian ways, islands, landscaped areas, loading areas, and lighting.
11. All grading and drainage activity for this development shall be completed in accordance with the approved final plans.

C. **Architecture**

1. Acceptable exterior building materials for development in this area of the city include brick, stone, brick- or stone-like concrete masonry units, pre-case concrete, architectural metal panels, glazing, and other high-quality, durable materials.
2. The submitted exterior architectural elevations (Attachment 'E', sheets A4.01 through A4.07) indicate the use of primarily pre-cast concrete on all building facades. Glazing is also shown on all

facades, and architectural metal panels are proposed on the western façade. The north, east, and south facades also contain architectural "bump-outs" composed of pre-cast concrete. Multiple colors are used on all building facades to increase visual interest.

3. The Community Development Department finds the proposed architectural details acceptable and recommends adoption of the exterior architectural plans as submitted.
4. All rooftop mounted mechanical equipment that is visible from an adjacent public street right-of-way shall be screened from view using architectural design features.
5. All ground-mounted mechanical equipment that is visible from an adjacent public street right-of-way shall be completely screened from view using architectural design features, fencing, masonry wall, landscaping, or a combination thereof.

D. Signage

1. The following attached signs are proposed (see Attachment 'F'):
   a. One (1) 19'-7 ½" wide by 2'-0" tall sign containing the company name on the north building elevation,
   b. One (1) 8'-0" wide by 8'-0" tall sign containing the company logo on the east building elevation,
   c. One (1) 19'-7 ½" wide by 2'-0" tall sign containing the company name on the south building elevation,
   d. One (1) 8'-0" wide by 8'-0" tall sign containing the company logo on the west building elevation,
   e. One (1) 39'-3" wide by 4'-0" tall sign containing the company name on the west building elevation, and
   f. One (1) 9'-3" wide by 1'-0" tall sign identifying the service entrance on the west building façade.
2. The following detached sign is proposed:
   a. One (1) 3'-5 5/8" wide by 8'-0" tall monument sign near the southwest site entrance.
3. The proposed signage totals approximately 401 square feet and is deemed acceptable for the subject property.
4. On-site directional signage shall count toward the overall amount of signage permitted on the subject property. Directional signage shall be limited to a maximum height of six (6) feet as measured from the natural grade and shall be limited to a maximum of four (4) square feet per sign face, not to exceed a total of eight (8) square feet per sign.
5. The total amount of permitted signage on the subject property shall not exceed 450 square feet. This includes directional signage.

E. **Landscaping**

1. The landscaping plan (Attachment 'G') shows a mixture of ornamental trees and shrubs along the perimeter of the subject property. The proposed landscaping is generally acceptable and shall be adopted as proposed with the following modifications:
   a. All disturbed areas without a specific landscape design shall be seeded or sodded with turf grass or prairie grass.
   b. Parking lot islands and end caps shall contain turf grass and/or prairie grass as ground cover at minimum, or they shall be otherwise landscaped, with decorative plant species and noted on the landscape plan. Parking lot islands and end caps without vegetative landscaping shall not be permitted.
   c. A minimum of 10% of the total parking lot area shall be landscaped, and the total landscaped area shall be indicated on a final landscaping plan submitted with the building permit application. Landscape buffers located between the parking lot and property line shall count toward total the parking lot landscaping requirement.
   d. The landscaping plan shall indicate the plant species to be used in the detention basins on the north and south sides of the subject property.
2. Not more than 10% of the landscaped area shall be of inorganic material such as brick, stone, aggregate, river rock, metal or artificial turf. Organic mulch may be used around trees and/or shrubs.
3. All perimeter shrubs and trees shall be allowed to grow to their full mature height and shall be maintained at such height so as to screen view of the parking lot from the public right-of-way.
4. All landscaping shall be appropriately irrigated and maintained, and dead plant material shall be replaced at a time appropriate to planting seasons but in all cases shall be replaced within one year; and

WHEREAS, The Community Development Department recommends approval of the request of to adopt a planned commercial development plan for property legally described as Lot 2, Bluffs Vision 4 Subdivision, City of Council Bluffs, Pottawattamie County, Iowa, subject to the comments and conditions above and the following conditions:

A. This development plan shall not become effective until such time that the Zoning Board of Adjustment issues a conditional use permit for an 'indoor automobile sales and rental' use for the subject property, and

B. The subject property shall abide by all conditions stated above and any additional conditions adopted with the conditional use permit.

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

That the Planned Commercial Development Plan for property legally described as Lot 2, Bluffs Vision 4 Subdivision, City of Council Bluffs, Pottawattamie County, Iowa, is hereby adopted and approved, and will be in full force and effect upon completion of the conditions set forth above from and after its final passage and publication, as by law provided.

ADOPTED
AND November 28, 2022.
APPROVED

_____
MATTHEW J. WALSH Mayor

Attest: _____
JODI QUAKENBUSH City Clerk

Planning Case No. PC-22-001

Council Communication

Department: Community Development
Case/Project No.:
Submitted by: Housing & Economic Development

Resolution 22-316
ITEM 7.F.

Council Action: 11/28/2022

Description

Resolution authorizing the Mayor to accept and execute a contract with Civitas, LLC for professional consultant services to develop a Housing Plan and an update to the Consolidated Plan, Action Plan and Affirmatively Furthering Fair Housing for the City of Council Bluffs.

Background/Discussion

See attached staff report.

Recommendation

ATTACHMENTS:

Description	Type	Upload Date
Staff Report	Staff Report	11/18/2022
Proposal to the RFP	Other	11/18/2022
Resolution 22-316	Resolution	11/23/2022

Council Communication

Department: Community Development	Resolution No.: 22 -	City Council: November 28, 2022

Subject/Title

Accept and execute a contract for professional consultant services to develop a Housing Plan and an update to the Consolidated Plan, Action Plan, and Affirmatively Furthering Fair Housing for the City.

Background/Discussion

Background

The City of Council Bluffs Community Development Department has worked with community partners for many years to address housing issues through multiple efforts. Over the last few years the City has observed a housing shortage that most of the nation is also facing. Therefore, there is a need to gather data and analysis in regards to a Housing Plan that would include a housing needs assessment for households within the city limits. Additionally, the City needs an update to the Consolidated Plan, Annual Action Plan, including the City's Neighborhood Revitalization Strategy Area (NRSA) designation and boundary, and Affirmatively Furthering Fair Housing (AFFH) in conjunction with the development of a Housing Plan.

The City of Council Bluffs is an entitlement community and therefore is qualified to receive financial assistance from the U.S. Department of Housing and Urban Development (HUD) on an annual basis. Specifically, the City qualifies for Federal entitlement funding made available through the Community Development Block Grant (CDBG) and HOME Investment Partnership (HOME) Programs. Past performance has demonstrated that the City has administered both of these programs efficiently and effectively.

To remain eligible for this funding, the City is required to submit a HUD mandated Consolidated Plan. The Consolidated Plan requires the City to identify its housing and community development needs, come up with strategies for meeting those needs and prioritizing those needs. The Consolidated Plan includes a Five-Year Strategy and Annual Action Plans for each program year in the five-year strategy. The Annual Action Plan primarily presents a budget for proposed activities to be implemented during the course of each program year in the five-year strategy and to address needs identified as part of the overall five-year strategy.

This Consolidated Plan is for the Five-Year Strategy for the period beginning January 1, 2024 through December 31, 2028. The formula grant programs covered by this Consolidated Plan includes only the CDBG. The Home Investment Partnership (HOME) Program funding and activities are outlined in the Omaha - Council Bluffs Consortium Consolidated submission for Community Development Programs.

Title VIII of the Civil Rights Act of 1968, known as the Fair Housing Act, requires HUD and recipients of federal funds from HUD to affirmatively further the policies and purposes of the Fair Housing Act, also known as "affirmatively further fair housing" or "AFFH." The obligation to affirmatively further fair housing requires recipients of HUD funds to take meaningful actions, in addition to combating discrimination, that overcome patterns of segregation and foster inclusive communities free from barriers that restrict access to opportunity based on protected characteristics.

Discussion

In order to select a consultant to develop a Housing Plan and an update to the Consolidated Plan, Action Plan, and Affirmatively Furthering Fair Housing, staff completed a Request for Proposal (RFP) process. Two proposals were received from Civitas, LLC and Chrysalis Research + Consulting, LLC. Based on the qualifications of each firm and the submittal requirements, staff recommends hiring Civitas, LLC. The consultant will assist the City in developing a Housing Plan and an update to the Consolidated Plan, Action Plan, and Affirmatively Furthering Fair Housing. Including the Scope of Services: project management and administration, housing analysis, public outreach and presentations, developing a housing plan, updates to the Consolidated Plan and Annual Action Plan, updates to the AFFH plan and final documentation. The total amount will not exceed $133,550.

Staff Recommendation

The Community Development Department recommends City Council adopt a resolution authorizing the Mayor to accept and execute a contract with Civitas, LLC for professional consultant services to develop a Housing Plan and an update to the Consolidated Plan, Action Plan, and Affirmatively Furthering Fair Housing for the City.

Attachment

Proposals to the RFP

COUNCIL BLUFFS, IA

PROPOSAL:
CD 2022-18 RFP FOR A HOUSING PLAN AND AN UPDATE TO THE CONSOLIDATED PLAN, ACTION PLAN AND AFFIRMATIVELY FURTHERING FAIR HOUSING FOR THE CITY OF COUNCIL BLUFFS

November 14, 2022

Prepared by:

Civitas, LLC
600 Salty Alley
Mount Pleasant, SC 29464

CIVITAS
COMMUNITY DEVELOPMENT
www.civitassc.com

TABLE OF CONTENTS

03 Executive Summary

04 Firm Overview & Past Performance

08 Schedule

09 Budget

10 Team Personnel

17 Scope of Services

EXECUTIVE SUMMARY

Civitas is pleased to present this proposal for professional services for technical assistance related to the preparation of City of Council Bluffs 2024-2028 Consolidated Plan and 2024 Annual Action Plan, Affirmatively Furthering Fair Housing Update (via an Analysis of Impediments to Fair Housing Choice), and a Housing Needs Assessment and Housing Plan. Our team will provide unmatched knowledge of the Consolidated Planning process combined with unsurpassed fair housing expertise to deliver timely and comprehensive services. Our proprietary methodology has been refined through the successful completion and submission of well over one-hundred HUD-approved Consolidated Plans (ConPlans), Annual Action Plans (AAP) and Analysis of Impediments to Fair Housing Choice reports (AIs). We have also prepared several housing market studies and balanced housing plans. We have worked with grantees of all sizes and we are experts in the CDBG and HOME programs and services. Our knowledge of both the programing side as well as the reporting requirements puts our team in a unique position to provide a high quality and truly useful Consolidated Plan which will help guide the City's community development programing over the next five years. We will coordinate with City staff on a regular basis via phone, email, or virtual conference calls to ensure we incorporate the staff's local knowledge and insights within all aspects of the required deliverables.

There is a large overlap between the data points and analysis for the ConPlan, AI, and Housing Needs Assessment (HNA). We will take advantage of this overlap in by combining our efforts when feasible during our data research, G.I.S. mapping, policy analysis, public and stakeholder outreach, and plan development. This will ensure continuity and save on costs while still addressing each deliverables unique requirements.

Our organization is based out of Charleston, SC and we have a long history working successfully with cities and counties across the nation. We are well-suited to provide consulting services and technical assistance in all aspects of affordable housing. We specialize in HUD grant program development and compliance, and we have successfully completed ConPlans, Action Plans, AIs, Environmental Reviews, IDIS training, and general housing related technical assistance for numerous clients throughout the country including Columbia, SC; Jacksonville, FL; Hudson County, NJ; Harrisburg, PA; Colorado Springs, CO; and many more. Our consultants also serve as HUD technical assistance providers and train grantees across the nation.

Please find below our proposal for completing the scope of services identified in the RFP. These services and associated costs are based on our understanding of the City's needs; however, we are always happy to negotiate and adjust at your request. Civitas will also prepare a complimentary update to the Citizen Participation Plan for the City. This signed letter serves to bind our organization to what is included in this proposal for sixty (60) days. Principal Owner and Lead Consultant Erich Chatham will serve as the primary contact, and he will share Project Manager roles for this project Spencer Christian. We look forward to working with City of Council Bluffs to help provide decent, safe, and affordable housing to your residents.

Sincerely,

Karl Erich Chatham

Erich Chatham
Civitas, LLC
(843) 573-7825

FIRM OVERVIEW

CIVITAS, LLC

Firm Information
600 Salty Alley
Mount Pleasant, SC 29464
Phone: 843-573-7825

Experience
60 Years of combined community development and HUD experience

Firm Size
8 Full-time Employees

Firm Structure
Limited Liability Company

Year Founded
2009

Federal TAX ID Number
80-0443389

UEI Number
MNU1A73ZJNX5

Services
HUD Grant Technical Assistance
Consolidated Plans
Annual Action Plans
Fair Housing Analyses
Environmental Reviews
IDIS Training
Community Needs Assessments
Housing/Market Studies

Mission and History

Civitas, LLC is a research and community development consulting firm specializing in HUD Grant technical assistance. We are in the business of thinking and doing. We help state & local governments, non-profit, and for-profit enterprises solve problems and implement solutions. Our knowledge and experience with HUD programs, grant compliance, social science research, economic development, environmental reviews, and community revitalization put us in a unique position to assist a consortium of public and private entities in better meeting their missions.

We bring a passion for public service to our work in areas such as affordable housing development, grant writing & administration, program evaluation, research design & implementation, social & economic impact analysis, survey research, GIS mapping/spatial analysis, regulatory compliance, and project management.

We have written hundreds of HUD Consolidated Plans, Annual Action Plans, Consolidated Annual Performance Reports, dozens of market research and community needs assessments. We are highly proficient in HUD program design, implementation, and compliance.

Civitas has also worked with numerous clients to provide technical assistance, training, and program compliance review. Our HUD grant experience is highly sought after and nationally recognized.

Civitas was founded in 2009 by Jimmy Ardis and Erich Chatham, two graduates of the College of Charleston's Masters of Public Administration program. Civitas has a 13-year long history of successful work performance with clients across the country. Erich Chatham is now the principal owner and his dedication and hard work developed Civitas into one of the foremost housing policy firms in the country, particularly with regard to HUD programs.

PAST PERFORMANCE

Overview

Civitas, LLC has a 13-year long history of successful work performance with clients across the country. Our senior consultants bring over 60 years of combined housing and HUD program experience to the table. Many of our growing client list start out with just one initial contract for a single project, for example a Consolidated Plan or Analysis of Impediments to Fair Housing Choice or HUD technical Assistance. All of these projects are completed in a timely fashion per the deadline given by HUD or the jurisdictional deadlines. We have never missed a firm deadline. Over the years, the demand for our technical assistance beyond single scope projects has grown. Our technical assistance has allowed jurisdictions across the country to improve their processes and management of HUD funded programs.

We are proficient in the review, updating, or writing policy and procedures for Environmental Reviews, Davis Bacon, Section 3, Citizen Participation Plans, Lead Based Paint, etc. We have ample experience in providing best practices and program design suggestions for all HUD housing programs, economic development, homeless solutions, public services, CHDOs, Neighborhood Revitalization Strategy Plan, etc. Our team has assisted with affordable housing program developments, economic development programs, environmental reviews, policy reviews and updates. We have also been a crucial component to helping remove HUD findings for several municipalities. We are staffed to provide policy and procedure review or creation, as well as specific program technical assistance and best practices advice. The below client list details projects led by Civitas as well as technical assistance clients that match the tasking deliverables. We are happy to provide more if requested.

Samples

More projects and reports are linked on our website: http://civitassc.com/projects.

Berkeley County, SC 2021 Consolidated Plan
https://tinyurl.com/BerkeleyCountyConPlan

Hudson County, NJ 2020 Consolidated Plan
https://tinyurl.com/Hudson-ConPlan-2020

Florence, SC 2021 Analysis of Impediments
https://tinyurl.com/Florence-AI-2021

Hialeah, FL 2020 Analysis of Impediments
https://tinyurl.com/Hialeah-AI

Commerce City Housing Needs Assessment (2018) & Balanced Housing Plan (2019)
http://civitassc.com/s/2018-C3-HNA-FINAL.pdf

PAST PERFORMANCE

References

Client: Jacksonville-Duval County, Florida
Period of Performance: September 2017 – Current
Project(s): 2018 Consolidated Plan Substantial Amendment, CAPERs & Annual Action Plans, Neighborhood Strategic Counseling Services, Disaster Relief Program Consulting, HUD-program management, Environmental Reviews and related training, development of CDBG, HOME, ESG and HOPWA policy and procedure manuals, 2020 5-Year ConPlan and AAP, 2020 Analysis of Impediments, CARES Act amendment TA, Treasury ERAP1 and ERAP2 program administration, HOME-ARP Allocation Plan
Project Leads: Erich Chatham, Spencer Christian
Point of Contact: Tom Daly, Director of Neighborhoods Department
TDaly@coj.net | (904) 255-8204

Client: Spartanburg County, SC
Period of Performance: Fall 2018 – current
Project(s): 2019-2023 Consolidated Plan and 2019 Annual Action Plan; HUD program Technical Assistance, IDIS training, multiple AAPs/CAPERs, HOME-ARP Allocation Plan
Project Leads: Erich Chatham, Grace Orr
Point of Contact: Kathy Rivers, Director of Community Development
krivers@spartanburgcounty.org | (864) 595-5300

Client: Broward County, Florida
Period of Performance: October 2015 – December 2015 & November 2017 – current
Project(s): 2020-2024 5-Year Consolidated Plan for HOME Consortium, IDIS Training, Technical Assistance, 2020 Analysis of Impediments to Fair Housing Choice, IDIS Training
Project Lead: Erich Chatham
Point of Contact: Yvette Lopez, Manager Environmental Protection & Growth Management YLOPEZ@broward.org | (954) 357-4930

PAST PERFORMANCE

Clients (Abbreviated)

ONGOING HUD TECHNICAL ASSISTANCE

Anderson, SC
Horry County, SC
Lauderhill, FL
N. Miami, FL
Miami Gardens, FL
Hialeah, FL
Broward County, FL
Jersey City, NJ
Harrisburg, PA
Bristol Township, PA
Jacksonville, FL
Columbia, SC
Spartanburg County, SC
Greenville, NC
Meriden, CT
Hudson County, NJ
Commerce City, CO
Bridgeport, CT
Homes of Hope, Inc
St. Cloud, FL
Colorado Springs, CO
Meriden, CT
Reno, NV
Castle Rock, CO
Thornton, CO
Adams County, CO
Lubbock, TX
Lowcountry COG, SC
Tamarac, FL
Sunrise, FL
Berkeley, SC

ANALYSIS OF IMPEDIMENTS

Horry County (Consortium), SC
Spartanburg, SC
Lexington County, SC
Columbia, SC
Greenville, NC
Hialeah, FL
St. George, UT
Charleston, SC
Lower Savannah COG, SC
Bristol Township, PA
Colorado Springs, CO
Jersey City, NJ
Burlington, NC
Concord HOME Consortium, NC
Sherman, TX
Hudson, County, NJ
Meriden, CT
Jacksonville, FL
Broward County HOME Consortium, FL
Florence, SC

ANNUAL ACTION PLANS & CAPERS

Horry County Consortium, SC
Spartanburg County, SC
City of Spartanburg, SC
Jacksonville, FL
Miami Gardens, FL
Bristol Township, PA
St. George, UT
Colorado Springs, CO
Hialeah, FL
Greenville, NC
Marin County, CA
Columbia, SC
Harrisburg, PA
Orangeburg, PA
Collier County, FL
Hudson County, NJ
Jersey City, NJ
Meriden, CT
Summerville, SC
Reno, NV
Broward County HOME Consortium, FL
Commerce City, CO
Stamford, CT
Hialeah, FL
Miami Gardens, FL
Benton Harbor, MI
Castle Rock, CO
Fort Pierce, FL
Sunrise, FL
Stratford, CT
Lubbock, TX

ENVIRONMENTAL REVIEWS

Horry County, SC
Broward County, FL
Collier County, FL
Town of Davie, FL
Hialeah, FL
City of Anderson, SC
Miami Gardens, FL
Lexington County, SC
Lauderhill, FL
Port Arthur, TX
Harrisburg, PA
Bridgeport, CT
City of Jacksonville, FL
City of Greenville, NC

CONPLANS

Horry County Consortium, SC
Spartanburg County, SC
City of Spartanburg, SC
Jacksonville, FL
Miami Gardens, FL
Bristol Township, PA
St. George, UT
Colorado Springs, CO
Hialeah, FL
Greenville, NC
Marin County, CA
Columbia, SC
Harrisburg, PA
Orangeburg, PA
Collier County, FL
Hudson County, NJ
Jersey City, NJ
Meriden, CT
Summerville, SC
Reno, NV
Broward County HOME Consortium, FL
Commerce City, CO
Stamford, CT
Hialeah, FL
Miami Gardens, FL
Benton Harbor, MI
Castle Rock, CO
Fort Pierce, FL
Sunrise, FL
Stratford, CT
Lubbock, TX

HOUSING MARKET ASSESSMENTS

Homes of Hope - Greenville, SC
City of Spartanburg, SC
Grand Strand Housing - SC
Horry County, SC
Seewee Community, Charleston, SC
Jacksonville, FL
Adams County, CO
Commerce City, CO

SCHEDULE

The following tentative timelines are for associated deliverables and can be adjusted to meet the needs of City, as requested.

CONPLAN

- **Project Kick Off Meeting**: As soon as possible after project award
- **Data Collection**: January 2023
- **Mapping Development**: January 2023
- **Public Surveys Open**: January - February 2023
- **Community and Stakeholder Meetings**: TBD
- **Draft NA & MA Sections of ConPlan**: Jul 10, 2023
- **Draft Strategic Plan & Action Plan Submitted to City**: Week of Aug 13, 2023
- **ConPlan FULL Public Comment Draft**: Sep 15, 2023
- **Public Comment Period**: TBD (~Oct 1, 2023 – Oct 30, 2023)
- **Public Hearing (City to conduct):** TBD
- **Upload to IDIS**: November 13, 2023
- **Final Draft Submitted to HUD**: NLT November 15, 2023

AI

- Data Collection: January 2023
- Mapping Development: January 2023
- Public Surveys Open: January - February 2023
- Community and Stakeholder Meetings: TBD
- Community Profile Analysis and HMDA analysis: May 2023
- Impediments and Fair Housing Plan Development: June 2023
- Final AI including Fair Housing Action Plan: August 31, 2023

HNA AND HOUSING PLAN

- Data Collection: January 2023
- Mapping Development: January 2023
- Public Surveys Open: January - February 2023
- Community and Stakeholder Meetings: TBD
- Policy Analysis and local resources analysis: April 2023
- Current Housing Needs/Future Housing Needs: May 2023
- Housing Goals: June 2023
- Housing Plan Implementation: Jul 15, 2023
- Final HNA: August 31, 2023

BUDGET

Cost Summary

Civitas proposes to provide all the services detailed in this submitted proposal for sum of $133,550 prior to any printing costs. We are happy to negotiate to lower the price by consolidating efforts (further combining AFFH and HNA) or reducing travel costs during public outreach (incorporating more virtual meetings with stakeholders). The price shall remain valid for 60 days after the opening of proposals.

Task	Fee
Task 1: Project Management & Administration	
Ongoing Coordination	N/A
Subtotal	*$0*
Task 2: Housing Analysis	
Data Research	$8,100
Mapping	$2,700
Housing Needs Assesment	$4,500
Subtotal	*$15,300*
Task 3: Public Outreach & Presentations	
Technical Advisory Committee	$10,000
Community Stakeholder Committee	$15,000
Public Meetings	$30,000
Subtotal	*$55,000*
Task 4: Develop the Housing Plan	
Goals	$3,750
Implementation Strategy	$4,500
Subtotal	*$8,250*
Task 5: Consolidated Plan and Annual Action Plan Updates	
Needs Assessment and Market Analysis	$18,000
Strategic Plan	$10,000
Annual Action Plan	$5,000
Subtotal	*$33,000*
Task 6: Affirmatively Furthering Fair Housing Update	
Community Profile	$3,000
Barriers to Fair Housing	$4,500
Fair Housing Action Plan	$4,500
Subtotal	*$12,000*
Task 7: Documentation	
Council Bluffs Housing Plan	$10,000
Subtotal	*$10,000*
TOTAL	***$133,550***

Erich Chatham

Owner / Lead Consultant

404-408-1256 | erich.chatham@civitassc.com

Education

MA of Public Administration
The College of Charleston
Charleston, SC, 2008

BA in Arts in History
Oglethorpe University
Atlanta, GA, 2002

Core Expertise

- Market Analysis
- Housing Policy
- Strategic Plan
- Network Collaboration
- Public Presentations
- Underwriting
- Fair Housing
- Consolidated Plans
- Annual Action Plans

Certifications

- HUD national technical assistance provider
- HOME Certified Specialist
- IDIS Trainer
- eCon Planning Suite Trainer

CIVITAS
COMMUNITY DEVELOPMENT

Bio

Erich has thirteen years of professional housing and community development research and analysis experience. As Lead Consultant and Project Manager, Erich has worked on economic and community development projects with local governments, for-profits, and non-profits throughout the nation. He serves as a national technical assistance provider for the US Department of Housing and Urban Development and is a HOME Certified Specialist. Erich has delivered a hands on approach to housing needs assessments and housing strategic planning throughout the country. His expertise in housing policy, homeless solutions, economic development, and community enhancement have been recognized nationally.

Erich serves on numerous non-profit boards of directors including the Palmetto Community Land Trust, Grand Strand Housing and Community Development, the South Carolina Interagency Council on Homelessness and the Lowcountry Continuum of Care where he serves as the Chairman of the Governing Council.

Work Experience

Civitas, LLC
Principal Owner & Lead Consultant
Mt Pleasant, SC, May 2008 – Current

Urban Land Institute
Graduate Intern
Charleston SC, Jan – Apr 2008

College of Charleston
Graduate Assistant
Charleston, SC, Nov 2006 – Dec 2007

Our Lady of Mercy Catholic High School
Teacher, Dept Chair, Head Coach
Fairburn, GA,May 2002 – Jun 2006

Memberships and Professional Training

- Board of Directors, South Carolina Coalition for the Homeless
- Board of Directors, Coastal Carolina Community Development Corp
- Board of Directors, Grand Strand Housing & CDC
- HUD - HOME Program Certified Specialist: Rules & Regulations
- HUD – IDIS, DRGR & eCon Planning Suite Trainer

Spencer Christian
Director of Operations
spencer.christian@civitassc.com

Education

MS of International Affairs
The Georgia Institute of Technology
Atlanta, GA 2006

BA in French
Georgia College & State University
Milledgeville, GA 2003

Core Expertise

- Project Management
- Public Outreach
- Housing Policy
- Fair Housing
- Analysis of Fair Housing Choice
- Environmental Reviews
- G.I.S. Mapping

Special Projects

- PHA HCV Video Training Series
- HOME-ARP Allocation Plans
- Local HUD Training Resources

CIVITAS
COMMUNITY DEVELOPMENT

Bio

Spencer transitioned to housing and community development consulting after serving 10+ years in the United States Navy as an intelligence officer. He serves as the Civitas Director of Operations, ensuring project quality control, communications, and timeliness. He also heads up the firm's special projects. Having spent time in cities and military bases throughout the US, Middle East, and Asia, he brings a unique, multinational perspective to housing and development. He delivers value and insight to urban development projects by leveraging his military background in analysis, policy review, financial oversight, and project management. Spencer has a keen interest in affordable and fair housing as well as supporting urban sustainability technology and culture. He maintains oversight on all projects to ensure transparency, timeliness, and quality. Further, he provides grants management compliance and reporting including policies and procedures development for all Civitas projects.

Work Experience

Civitas, LLC
Director of Operations
Wahiawa, HI, Jan 2019 – Current

United States Navy
Intelligence Officer / Director of Operations
Worldwide, Jun 2008 – Mar 2019

Georgia Tech Center of G.I.S.
Graduate Assistant - G.I.S. Technician
Atlanta, GA, Jun 2005 – Jan 2007

Newton High School
Teacher, Head Coach
Covington, GA, May 2003 – Jun 2005

Qualifications Summary and Professional Training

Spencer's military background demanded attention to detail in all daily tasks. His positions required he master the ability to review, conceptualize, and enact legal policy compliance and best practices in conducting intelligence operations. These skills combined with his trend analysis and project management experience transferred seamlessly to allow an immediate impact to Civitas and its clients.

Peter Neiger
Lead Market Analyst & GIS Technician

pete.neiger@civitassc.com

Education

BS in Economics
The College of Charleston
Charleston, SC, 2009

Core Expertise

- Housing Needs Assessment
- Market Analysis
- Data Visualization
- Housing Policy
- Fair Housing
- Consolidated Plans
- Analysis of Fair Housing Choice
- G.I.S. Mapping
- Environmental Reviews

Local PJ Training

- HUD ER Process
- HEROS

Bio

Peter has thirteen years of professional experience in economic analysis, with eight years specializing in housing policy issues and environmental reviews. He serves as Civitas the primary data analyst for Housing Needs Assessments, housing Plans, Strategic Homeless Plans, Analyses of Impediments, and Market Analyses. He has completed over 60 housing needs and market analyses for a variety of small city, large metropolitan, county, and state-level clients. His keen insight and methodical approaches to quantitative housing, demographic and economic trends has provided valuable insights that underscore current gaps and future needs that can direct policy and resource. allocation for decisions. He also leads Civitas GIS department and applies data visualization tools to allow for easily understood information to complex scenarios.

Peter currently serves on the Board of Directors for the Cape Fear Community Land Trust and is passionate about helping communities develop affordable sustainable housing.

Work Experience

Civitas, LLC
Lead Analysis / Environmental Review Coordinator
Wilmington, NC, Nov 2014 – Current

Thomas Dale and Associates
Security Operations Manager
Los Angeles, CA , Aug 2012 – Nov 2013

Students For Liberty
Internal Operations Manager
Washington DC, May 2010 – May 2012

United States Army
Team Leader (E-5), Infantry Paratrooper, 82nd Airborne Division
Various Locations, Nov 2001 – Nov 2005

Memberships and Professional Training

- Board of Directors, Cape Fear Community Housing Trust
- HUD Environmental Review Training Program
- HEROs Training Program

CIVITAS
COMMUNITY DEVELOPMENT

Kyle Jenkins

Consultant - CoC and Homeless Expert

kyle.jenkins@civitassc.com

Education

Associates of Art in Gen Education
Wor-Wic Community College
Salisbury, MD 2010

Core Expertise

- Homeless Solutions
- ESG Program
- CDBG Program
- HMIS
- CoC Administration
- CDBG Program
- ConPlans
- Data Research
- Analysis of Fair Housing Choice

Local Training

- CoC Process
- ESG Training

Bio

Kyle is an associate consultant and our team's lead as an ESG grant specialist. He has over seven years of experience of developing and administering homeless housing programs, homeless services and homeless database management/ reporting. Kyle has director level experience with managing nonprofit organizations, projects and initiatives, while delivering mission-critical results at all levels including program development, budgeting, administration, strategic planning, reporting and evaluation, and developing/ maintaining strategic partnerships and relationships with government agencies and community partners. Kyle brings expertise in HMIS administration, HUD data standards, confidentiality, data quality and improvement programs and system reporting. He is proficient with Wellsky's (previously Mediware), ServicePoint HMIS software and is also familiar with Charity Tracker's HMIS software.

Work Experience

Civitas, LLC
Lead ESG Specialist
Myrtle Beach, SC Feb 2021 – Current

Eastern Carolina Housing Organization
Chief Operating Officer / HMIS Admin
Myrtle Beach, SC, 2014 – 2021

Memberships and Professional Training

- Chair State HMIS Committee, (SCICH) South Carolina Interagency Council for the Homeless
- Assistant Secretary, (TCHC) Total Care for the Homeless Coalition (CoC)
- Motivational Interviewing
- Francis Marion University Non Profit Leadership Institute
- Mental Health First Aid Certification

CIVITAS
COMMUNITY DEVELOPMENT

Richard Caplan

Economic Development Analyst
richcaplan@aol.com

Education

Masters in Public Policy
University of California, Berkeley
Berkeley, CA

BA in Political Science
University of California, Berkeley
Berkeley, CA

Core Expertise

- Housing Policy
- Economic Development
- Strategic Planning
- Public Policy Review
- Policy Recommendation
- In-fill Housing Analysis
- Data Research
- Analysis of Fair Housing Choice
- City Management

Bio

Rich has delivered housing consulting services in more than 20 states, providing a unique understanding of the range of local policy practices that have been successful especially in addressing workforce and low-income housing in urban areas and cities with higher median household incomes who routinely face the need to maintain a diversified workforce. He has prepared more than 20 housing elements for city comprehensive plans in the western U.S. and range of innovative housing financing strategies for low-income and in-fill housing for cities and not-for-profit housing development corporations. Rich delivered housing policy recommendations to accommodate workforce and other affordable housing to serve targeted underserved populations and completed economic impact studies for housing and mixed-use developments. He has also analyzed impact on housing from zoning code changes including lot size reductions, reduction in parking requirements, modifying setbacks and accessory dwelling units. Furthermore, Rich prepared housing market studies for developers for cities ranging in size from 2,500 to over one million in population and conducted economic impact studies for alternative land uses and modification to vehicle and bicycle lane transportation patterns; and evaluated existing and recommended policy changes to housing strategies that consider redevelopment, displacement, and changes in land use and transportation patterns.

Work Experience

Richard Caplan & Associates
Owner, Principal
Greenville, SC, 1993-2010; 2016 – Current

Parsons, Pasadena, California
Manager, Economic Planning Department
City of Yanbu, Saudi Arabia, 2010 - 2016

Town of Vail, Colorado
City Manager
Vail, CO, 5 years

Memberships and Professional Training

- Board of Directors, Heartland Business Capital

Vern Xiong
IDIS Technician/Data Specialist

vern.xiong@civitassc.com

Education

Bachelor of Arts in Art Studies
Greenville University
Greenville, IL 1999

Grant Proposal Writing Certificate
Fort Hays State University
Hays, KS, 2012

Core Expertise

- IDIS
- Consolidated Plans
- Strategic Plans
- Annual Action Plans
- Data Research
- Analysis of Fair Housing Choice
- G.I.S. Mapping
- Grant Writing

Bio

Vern has worked with Civitas for eight years as a research assistant and data collection expert. He serves as the team's IDIS specialist, combining his experience and technical proficiency to all ConPlans, AAP, and CAPERs. His experience spans housing studies, Strategic Plans, Annual Action Plans, and CAPERs across the country including dozens of jurisdictions in South Carolina, Florida, Colorado, Connecticut, New Jersey, and many others. In addition to his work with Civitas, he has worked on research and evaluation for non-profits in Minnesota and Colorado, as well as international development projects in Southeast Asia and Central America.

Coming from a refugee family, Vern has a special interest in helping displaced people and secondary migrants adapt, make healthy living choices, and grow with their new communities. Before working at Civitas, Vern managed Lao Family's Youth and Family program for seven years. He also helped lead many community development programs, including CDBG, in Minneapolis-St. Paul.

Work Experience

Civitas, LLC
Lead IDIS Technician / Research & Data Lead
St. Paul, MN, May 2014 – Current

Lao Family Community of Minnesota
Youth and Family Program Manager
St. Paul, MN, Apr 2002 – Dec 2012

One Source Supply, Inc.
E-Commerce Coordinator
Warrenville, IL Mar 2001 – Mar 2002

Memberships and Professional Training

- Board of Directors, Overseas Tribal Services Minnesota Chapter
- Board of Directors, Star Lake Wilderness Camp (2001-2005)

CIVITAS
COMMUNITY DEVELOPMENT

Maggie Blake
Consultant - CDBG & ESG Specialist

maggie.blake@civitassc.com

Education

Master of Education
University of Notre Dame
Notre Dame, IN 2019

B.A. in History and Poverty Studies
University of Notre Dame
Notre Dame, IN 2017

Core Expertise

- CDBG Program
- HOME Program
- Grant Writing
- Neighborhood Stabilization Program
- Consolidated Plans
- Annual Action Plans
- CAPERs
- Data Research

Special Projects

- PHA HCV Video Training Series
- City of Jacksonville HUD Training Video series

Bio

Maggie recently joined Civitas, bringing professional experience in homeless services, grant-writing, non-profit operations, and development. Maggie completed a two-year teaching service program while earning a Mater's degree in Education from the University of Notre Dame. She transitioned to homeless services, working for the Pope Francis Center in the heart of downtown Detroit. Her work in homeless services gave her well-rounded expertise in non-profit operations and federal grant management. Maggie's work with Civitas includes CDBG, HOME, and ESG program technical assistance and client interface. She regularly assists clients with the completion of HUD Annual Action Plans, CAPERs, IDIS technical assistance, and stakeholder outreach.

Work Experience

Civitas, LLC
Consultant / CDBG & HOME Specialist
Charleston, SC, Apr 2021 – Current

Pope Francis Center
Development Coordinator and Grant Writer
Detroit, MI, 2020 - 2021

St. Francis International School
Teacher, Student Council Moderator
Silver Spring, MD, 2017 – 2020

Memberships and Professional Training

- Indiana Secondary Education Teaching Certificate (Social Studies)

SCOPE OF SERVICES

Project Approach Overview

Technical Area

Civitas has developed a proprietary methodology for completing ConPlans and AAPs and other HUD grant reports that has proven to be very successful in each of our projects. These plans serve as a comprehensive assessment of community needs and market gaps via stakeholder and community input and data analysis in order to develop strategic and deliberate plan for prioritizing and funding eligible activities with HUD grant funding. Our system allows for research and analysis to be conducted quickly while guaranteeing compliance with all regulations. Each report is customized to meet the unique needs of each client, from state-wide AIs to ConPlans for new grantees, our system works. We will supplement City staff by providing technical assistance and best practices, and work with staff to understand and incorporate local values and the community development setting.

eCon Planning Suite Experience

The Consolidated Plan will be developed using HUD's IDIS-based e-Con Planning Suite. It would be difficult to find a team more knowledgeable of this system. Our consultants have been involved with eCon since its inception. Furthermore, Civitas consultants have been contracted with HUD to provide direct training and technical assistance to grantees on IDIS. The Planning Suite provides streamlined data collection and a standardized template that provides grantees with greater certainty that their planning process adheres to HUD-guidelines and vision. Consultants will utilize the ConPlan template and include the most recently available data in the data tables, narratives, charts, and maps into IDIS. Civitas will enter the full Consolidated Plan into IDIS and submit for HUD approval per Federal guidelines and in accordance with the submission deadline.

Management Area

With our 13 years' experience working with HUD consolidated planning, we have established an efficient and effective process for completing high quality and compliant documents that are tailored to each grantee. Upon receiving the contract, our staff will begin with basic data collection and analysis using the most up to date data from HUD, the US Census Bureau, the Bureau of Labor Statistics, and many other sources, including previous ConPlans, Action Plans, and CAPERs. Our project manager will work closely with staff to determine any issues unique to the jurisdiction that the research staff should be made aware of.

SCOPE OF SERVICES

Project Approach Overview

Data Research and Mapping Analysis

The research staff works closely together, but each member has an area of responsibility to ensure that nothing falls through the cracks. Data Collection and Visualization occurs first and once complete the information is sent over to Research and Analysis in order to assess trends and construct narratives. By gathering all the data first, the analyst team is able to review a complete picture of the jurisdiction to prevent any assumptions or false conclusions early in the process. Analysts and lead writers will also provide a fresh set of eyes to identify any data points that stand out or need additional support. This phase also include policy research and analysis to incorporate pros/cons of local strategies that may affect affordable hosing, fair housing, etc.

Narrative

Portions of the ConPlan, AI/AFFH, and HNA will be completed at the same time when the issues being analyzed overlap. However, the ConPlan template will drive most of its required narrative in order to meet HUD requirements. Housing needs and fair housing assessment will have additional overlap in data, but a different scope for the AI and the HNA.

Once the narratives are complete the reporting is turned over to Compliance and Quality Control for review. Any areas of improvement or smoothing out are identified and then all three departments collaborate and work with each other to help guarantee a finalized document. Upon completion the document is sent up to the Lead Consultant for review.

Throughout the process, the Project Manager is working with the jurisdiction's staff and conducting public outreach events. Information gathered during these interactions are passed on to the Director of Operations who disseminates it to the rest of the Civitas staff as needed. The Director of Operations acts as a go-between for the project manager and the rest of staff to avoid any inefficient use of time.

Once the document is complete all members give it a final review. When there is a unanimous consensus that the product is complete it is passed on to the jurisdiction for review. Any requested edits are made to the document and then it is uploaded to IDIS for HUD review. In the unlikely event that HUD comes back with additional edits the staff immediately makes them and resubmits.

Public Involvement Action Plan

Citizen Participation & Stakeholder Consultation

Civitas will combine public/stakeholder outreach efforts for both the ConPlan, the Analysis of Impediments to Fair Housing Choice, and the Housing Needs Assessment in order to save on time, costs, and public interest.

Public Meetings

Civitas will work with City staff to develop and execute an effective communication and outreach strategy to ensure representative feedback is gathered from community stakeholders. City staff assistance in coordinating proper invites, venues, dates, and times of events will be needed.

Upon the completion of the initial data collection and analysis, our team will host:

- TBD stakeholder/focus group meeting
- TBD Technical Advisory Committee
- Two (2) community outreach meeting in person
- One (1) community outreach meeting virtually

Any key stakeholders that are unable to attend the focus group(s) will be interviewed via telephone conference call to ensure their participation in the consultation process.

Public and Stakeholder Survey

In addition to the public outreach and interviews, we will prepare an online survey to garner additional feedback form those that may want to respond anonymously or for those that are unable to attend one of the public events. There will be two versions of the survey, one for direct resident feedback as well as one slightly altered to gather feedback from stakeholder organizations.

Civitas has existing relationships with additional consultants that can assist with translation services as needed. We can provide translation of the public notices, the public survey and onsite for public meetings as requested. We will work with City staff to ensure sufficient notice is disseminated through proper communication channels.

SCOPE OF SERVICES

WORK PLAN - CONSOLIDATED PLAN

Overview

Civitas uses a mix of qualitative and quantitative methods to deliver a high-quality, HUD-compliant Consolidated Plan that will provide insights into economic development and the housing profile of the City. The ConPlan will serve as a foundational document to provide data-drive guidance for the use of HUD grant funds over the next five years.

The ConPlan and AAP will be developed using HUD's IDIS-based e-Con Planning Suite. All team members have received all relevant HUD training on the subject and have participated in the successful completion of numerous HUD-approved Con Plans. We will utilize the ConPlan template to import all relevant data tables, narratives, charts, and maps into IDIS. Our resulting documents include supplemental data and maps that go above and beyond the basic eCon requirements.

When necessary, CPD Maps will be used for spatial analysis and mapping. However, given that CPD Maps tend to be outdated, we will supplement them with custom maps using more recent data. These sources include Bureau of Labor Statistics, the HUD AFFH database, the US Census 2017-2021 ACS 5-Year Estimates, and additional sources when beneficial. Our primary mapping tool is PolicyMap.

Below is a description of the major plan components that will be developed and compiled using the e-Con Planning Suite to deliver the City a timely, quality and compliant Consolidated Plan. The components listed below are extracted directly from the IDIS template.

SCOPE OF SERVICES

WORK PLAN - CONSOLIDATED PLAN

Executive Summary

Civitas will work with staff to complete the seven different sections of the executive summary. Per CFR 91.220 (b) and (c), this section will lay out the objectives, outcomes, resources expected, an evaluation of past performance, and a summary of citizen participation and consultation, including a summary of all comments.

We will work with staff to create a succinct and informative introduction that will be accessible to all readers. A summary of the objectives and outcomes identified in the Needs Assessment will be provided to show how the City will use the available resources. This includes listing out the priority needs and associated goals. Civitas will work with the City and other public, private, and non-profit agencies to analyze the City's performance since the last Consolidated Plan.

Input from the community as a whole, as well as key stakeholders, is both necessary and valuable in creating an effective grant program. This section will highlight the community meetings, interviews with key stakeholders and public officials, and the online survey process that the consultant and City will use to gather feedback. We will develop and distribute an online survey and conduct public meetings and focus group meetings. We are prepared and experienced to give these presentations remotely and recommend this method over in-person for a broader reach to community and to control for travel costs. We will finalize dates and optimal method of meetings based on coordination with staff.

Civitas has overseen numerous public comment periods and public hearings; we will work with staff to ensure the process runs smoothly. Civitas staff will prepare all public notices required for these public engagement processes. A summary of this section will help readers understand the ConPlan process and sections to follow. This part can also include notes on data collection and analysis throughout the document, such as replacing the CPD Maps that use lagging ACS data with custom maps using the most current ACS data.

SCOPE OF SERVICES

WORK PLAN - CONSOLIDATED PLAN

Needs Assessment

We will develop an updated housing needs profile for the City. We will work with representatives to identify any additional data and information, including existing housing and/or homeless studies and information on special needs populations to supplement the readily available data from HUD and the US Census. After obtaining this information, the consultants will use it to develop a needs assessment for the City's review and approval.

The needs assessment will meet all of the minimum requirements of 24 CFR Part 91 and 570 and will include a housing needs assessment that analyzes the latest trends in population, income, tenure, poverty, and housing problems with a special emphasis on vulnerable populations such as low-income, ethnic and racial minorities, the elderly, and residents with disabilities. We will look at greater needs that may exist when persons of a particular racial or ethnic group experience housing problems or severe housing problems at a disproportionately higher rate of the jurisdiction.

An analysis of public housing within The City in cooperation with the Housing Authority will be conducted, along with the needs of residents who are experiencing homelessness in cooperation with The City, the Continuum of Care, and shelters within the City. We will assess the non-homeless special needs that addresses the needs of special populations in the City, including the victims of domestic violence or other crimes, elderly, residents with HIV/AIDS, residents with alcohol and drug addiction, and residents with a disability. We will also look at jurisdiction's need for public facilities, public improvements, and public services.

Note: Homeless Needs: The needs of residents dealing with homelessness is discussed throughout the Needs Assessment and Market Analysis. However, due to the vulnerability of this group it is important to give particular attention to those sections. Our staff has worked with jurisdictions across the country to address homeless. We will provide a concise summary of the nature and extent of homelessness within the City (including rural homelessness and chronic homelessness if applicable) addressing separately the need for facilities and services for homeless persons and homeless families with children, both sheltered and unsheltered, and homeless subpopulations. The summary will include the characteristics and needs of low-income individuals and children, (especially extremely low income) who are currently housed but are at imminent risk of either residing in shelters or becoming unsheltered. In addition, the assessment will include a description of the nature and extent of homelessness by racial and ethnic group. As part of the homeless needs assessment, the consultant team will identify area facilities and services in place to provide for the homeless population. This shall include, at a minimum, the Continuum of Care, all emergency shelters, any homeless outreach program(s), as well as available transitional and permanent housing options.

WORK PLAN - CONSOLIDATED PLAN

Housing Market Analysis

In cooperation with local stakeholders and representatives, the consultant team will develop a housing market analysis. The analysis will use information from interviews, surveys, public meetings/hearings, census data, and consultation with local officials and leaders. The market analysis will include the number and type of units available for rent and purchase, the cost of housing for both homeowners and renters, which will include a discussion of affordability and whether there is currently sufficient housing stock, and the condition of housing (including substandard housing, age of housing, vacancy rates, and lead-based paint hazards, and the need for any rehabilitation of homes).

The availability of public and assisted housing within the City and the Housing Authority's strategy moving forward will be highlighted. A look at homeless facilities and services and whether they meet the needs of the community will be described, along with the availability of special needs facilities and services to assist the elderly, residents with disabilities, HIV/AIDS, alcohol or drug addiction, or facing homelessness.

Barriers to affordable housing that have been identified in the Analysis of Impediments to Fair Housing Choice and other documentation will be summarized in this section as well.

An analysis of non-housing community development assets including business activity, labor force participation, commute times and impact, education, and business needs in the community will be done, followed by a discussion of the needs and market analysis with a focus on concentrations of problems that disproportionately impact protected groups.

Lastly, two newer requirements will be covered: Broadband access analysis will be conducted to identify the "digital divide" with respect to availability of internet access, specifically in LMI areas. Research and consultation will be done with emergency management, and other agencies whose primary responsibilities include the management of flood prone areas, public land, or water resources regarding the vulnerability of housing occupied by low-or moderate-income households to natural hazards associated with climate change.

SCOPE OF SERVICES

WORK PLAN - CONSOLIDATED PLAN

Strategic Plan

The Strategic Plan section of the Consolidated Plan lays out the City's plan to address the needs identified in the previous sections. The next five years will be laid out with geographic areas, priority needs, associated goals, and expected resources included. The strategic plan will be consistent with the minimum HUD requirements as outlined in CFR 24 Part 91 as well as with other guidance issued by HUD. Goals and priority needs will be broad enough to allow flexibility in planning and administering a variety of activities.

Lead consultant Erich Chatham will work closely to develop this section of the plan to ensure the identified priority need and goals are appropriate for the jurisdiction. With proper development of this section, the grantee should be able to avoid any substantial amendments to the Consolidated Plan in the future.

The strategic plan will include the Priority Needs of the City with assigned level of priority, the population and geographic area that will be targeted, and which goals area associated with that need. We'll also cover market conditions, anticipated federal resources, and Institutional Delivery Structure.

Civitas will assist in the development of the 5-Year goals for the City which will include the category of the goal, geographic area affected, needs addressed, funding to be allocated, and a clear, measurable goal outcome indicator.

The plan will also describe any need to increase accessible units or resident involvement in public housing units, the strategy to remove or address barriers to affordable housing, the City's strategy to assist residents who are dealing with homelessness or are at risk of facing homelessness, and the City's anti-poverty strategy, including goals, programs, and policies aimed at reducing the number of poverty-level families. Lastly, the standards and procedures used to monitor activities carried out with HUD funds will be defined.

SCOPE OF SERVICES

WORK PLAN - CONSOLIDATED PLAN

Annual Action Plan

Civitas will develop an Annual Action Plan that supports the objectives and strategies outlined in the previous assessments, analyses, and the Five-Year Strategic Plan. Specific benchmarks and performance measures will be developed so that the City and HUD will be able to assess and evaluate the City's progress in reaching its goals. The one-year action plan will be consistent with the requirements outlined in 24 CFR Part 91, 24 CFR Part 570, as well as any other guidance from HUD.

In general, the AAP will include the annual goals that are tied to the Consolidated Plan and describe categories, needs addressed, and outcomes for the City, specific projects including planned activities, along with a more detailed layout of projects that will be undertaken with funding and targeted needs.

The presence of any geographic areas that will be receiving directed assistance, particularly in R/ECAP tracts within the jurisdiction will be defined, along with affordable housing activities that will be undertaken; to include actions planned to remove barriers to affordable housing in the City.

The AAP will define the Actions planned to assist public housing in the next year and the One-year goals for reducing the number of residents facing homelessness, particularly the chronically homeless, families with children, veterans and their families, and unaccompanied youth. Lastly, any other actions planned to improve the housing situation in city that has not been discussed elsewhere will be expanded upon.

SCOPE OF SERVICES

WORK PLAN - ANALYSIS OF IMPEDIMENTS TO FAIR HOUSING CHOICE

Overview

Fair housing has long been an important issue in American urban policy – a problem born in discrimination and fueled by growing civil unrest that reached a boiling point in the Civil Rights Movement. The passing of the Fair Housing Act in 1968 was a critical step towards addressing this complex problem – but it was far from a solution. Since the passing of the Act community groups, private business, concerned citizens, and government agencies at all levels have worked earnestly at battling housing discrimination. The Fair Housing Act mandates that the Department of Housing and Urban Development (HUD) 'affirmatively further fair housing' through its programs. Towards this end HUD requires funding recipients to undertake fair housing planning (FHP) to proactively take steps that will lead to less discriminatory housing markets and better living conditions for minority groups and vulnerable populations. The Analysis to Impediments to Fair Housing Choice is a critical component of HUD's fair housing efforts.

Our organization has participated in creating numerous AIs and we are familiar with the process and format, including the areas that require annual updates and analysis. Policy recommendations will be made to address any barriers or impediments found during the analysis. The AI will be conducted in full compliance with all relevant federal, state, and local laws and regulations, including HUD's Fair Housing Planning Guide. The AI will utilize all relevant HUD guidance – including definitions for housing types and income levels- as set forth in CFR's, handbooks, and notices. The AI will conform to HUD's requirements and suggested format as detailed in the "Fair Housing Planning Guide."

Our standard AI template outline will include:

- Executive Summary
- Community Profile
  - Demographics
  - Economic Profile
  - Housing Profile
- Public Sector Analysis
- Private Lending Analysis
- Fair Housing Profile
  - Fair Housing Complaints
  - Public Input
- Identification of Fair Housing Choice Impediments
- Fair Housing Action Plan

SCOPE OF SERVICES

WORK PLAN - ANALYSIS OF IMPEDIMENTS TO FAIR HOUSING CHOICE

In conducting an AI, the City will certify compliance with the Fair Housing Act's Affirmatively Furthering Fair Housing (AFFH) requirement and go beyond the obligations currently outline in HUD's June 10, 2021 Interim Final Rule. Civitas will prepare a comprehensive demographic profile, housing profile and an economic profile of the City. Civitas has developed a proprietary data collection and analysis methodology for completing AIs that has proven to be very successful. Our system allows for research and analysis to be conducted quickly while guaranteeing compliance with all regulations. Each report is customized to meet the unique needs of each client, from state-wide assessments to smaller rural communities, our system works. Data sources to be utilized includes but is not limited to the following: HUD's latest CHAS data, 2010 and 2020 Decennial Census, Home Mortgage Disclosure Act (HMDA), and the 2017-2021 American Community Survey 5-Year Estimates. Data will also be gathered from state and local agencies.

In addition to narratives, graphs, and tables, data will be presented geographically by Census Tract using mapping services provided by public and private agencies, as well as custom geographic information system (GIS) mapping.

The comprehensive housing profile will be included to provide a detailed overview of the housing stock within the jurisdiction. This profile will be combined with demographic and jurisdictional background to serve as a foundation for a data-driven review of fair housing. For example, comparing the area median income (AMI) with housing prices will allow an assessment of housing affordability and affordable housing gaps by income. Racially and/or Ethnically Concentrated Areas of Poverty (R/ECAPs) will also be analyzed as a barrier to fair housing. Mapping software and services such as OneCPD, PolicyMap, ArcGIS, Tableau, and the HUD-provided AFFH Mapping Tool will be used to display relationships between any key housing and demographic variables. Some of the data points that will be explored and analyzed include sales figures, construction activity, tenure, condition, vacancy, and age of housing.

SCOPE OF SERVICES

WORK PLAN - ANALYSIS OF IMPEDIMENTS TO FAIR HOUSING CHOICE

The AI will also include the most recent information as it pertains to:

- A comprehensive review of planning, development and housing programs, laws, policies, zoning ordinances and others to assess how they influence the availability and accessibility of local housing. This includes an evaluation of the City's grant programs for proper practices, monitor compliance, and performance measures. Civitas will conduct surveys with key stakeholders, government officials, community leaders, and the public to help complement the data analysis.

- State and local laws, zoning regulations and practices, housing programs, and policies will be analyzed against the backdrop of HUD guidelines, as well as national best practices and research.

- A review of the City's fair housing legal status will be reviewed. This includes a review of all fair housing complaints sent to state, federal, and local fair housing entities, as well as any findings of discrimination and suits filed by the Department of Justice or individuals.

- An assessment of public-sector conditions that may influence fair housing choice for protected classes. Examples of such items include tax policies, municipal services, transportation accessibility, building codes, tenant selection policies for public housing, segregation, access to quality education, and displacement of residents due to economic and public housing factors.

- An assessment of private-sector conditions and practices that may influence fair housing choice. The main item of importance here is lending practices and may include "steering" certain demographics into certain neighborhoods based on race, sex, religion, or other protected classes. Discriminatory practices in the rental market by property management and leasing agents are also a concern. Data for private sector practices will be collected from Home Mortgage Disclosure Act (HMDA) reports, local industry associations, fair housing complaints, and other available sources.

- The extent of fair housing enforcement and compliance, informational programs on fair housing and citizens' rights under the Fair Housing Act and any applicable state or local laws, and accessibility for the disabled are areas that will be reviewed for both public and private sectors.

SCOPE OF SERVICES

WORK PLAN - ANALYSIS OF IMPEDIMENTS TO FAIR HOUSING CHOICE

Fair Housing Action Plan

Once the community outreach and data analysis are completed, Civitas consultants will work with City staff to delineate any identified impediments to fair housing choice prevalent within the City. Civitas, with staff support, will then develop a Fair Housing Action Plan. This plan will establish goals to address each of the identified impediments to fair housing choice. The Fair Housing Action Plan will also include proposed outcome measures or benchmarks that can assist in measuring progress towards meeting these goals. These benchmarks will serve as actions to be taken annually throughout the Five-Year Consolidated Plan to address identified impediments and prioritization.

Final Presentation

HUD does not require a public comment period or a public hearing for the Analysis of Impediments to Fair Housing Choice. However, many jurisdictions choose to conduct both in an effort to encourage community participation. As part of our proposed fee, Civitas will prepare a standardized public presentation of the final AI for City and/or local jurisdictions to present at to the public at an event to be determined by the City. Should the City request Civitas to present findings at public meetings, we will be happy to oblige for an additional fee.

SCOPE OF SERVICES

HOUSING NEEDS ASSESSMENT & HOUSING PLAN

Housing Needs Assessment

The housing needs assessment (HNA) will investigate current and future housing needs. It will account for recent changes to the economic, social, and political landscape. It will provide a deep-dive analysis and incorporate available data and public participation.

We will highlight housing data to augment our understanding of the current trends in order to fully detail the housing challenges faced by many households in the community. We will compile data estimating the number and type of housing units in each geographic subregion, and trends in production of housing. If available, aggregated information from Multiple Listing Service (MLS) will also be utilized to indicate active housing market metrics. We will compile information about the number of housing units of various types within the region of analysis. These housing figures will be broken out by type (e.g., Owner-Occupied vs. Rental Housing; Single Family Dwellings vs. Medium and High-Density options, etc.). We will uncover trends such as housing valuations, rental costs, vacancy rates, permitting trends, density by neighborhood, and other such metrics. We will also analyze housing affordability for the population according to standard groupings: (i.e.: Extremely low income (<30% AMI); Very low income (30 to 50% AMI); Low income (50 to 80% AMI); Workforce housing/Moderate income (80% to 100% AMI); Above Median income (100%+ AMI).

The future housing needs assessment will deep-dive into population, economic and socio-economic trends to identify housing needs, types and locations. This should correspond with the City's Comprehensive Plan. A future housing assessment should 'right-size' anticipated growth and calibrate where housing is likely to be developed. It can inform the City where incentives may be appropriate and where additional legal provisions may need to be established to protect culturally significant and environmentally sensitive places, neighborhoods, and land.

Final Housing Plan

Based on an understanding of current and future needs, we will develop a variety of strategies related to development: regulations, impact fees, system development charges, and permitting processes, multiunit housing development incentives, etc. The strategies for policy updates that pertain to development or re-development will also accommodate a range of housing options and align with the City's goals, Comprehensive Plan, zoning and geographical constraints.

We will produce a final Housing Plan and deliverables package based on current and future assessments, and a summary of inputs from stakeholders. It will also include the comments received from community engagement activities and events. This includes final visualizations and graphics. We understand this may an iterative process. We will then provide the final Plan to the City in final format.

1201 West Peachtree Street, Suite 2300

Atlanta, GA, 30309
1(844)855-5580
www.AChrysalisCommunity.com

CHRYSALIS

RESEARCH + CONSULTING, LLC

Table of Contents

Firm Information	3
Cover Letter	4
Firm History	5
Previous Experience	8
Timeline	14
Personnel	15
Project Cost	33
References	34

FIRM INFORMATION

COMPLETE LEGAL NAME and CONTACT INFORMATION

1201 West Peachtree Street, NW, Suite 2300, Atlanta, GA, 30309,

1(844)855-5580

Cell: 440-640-4156

jason@thechrysalisconsultants.com

DUNS NUMBER

117136662

FEDERAL TAX IDENTIFICATION NUMBER

84-2278398

MBE/WBE/DBE STATUS

Chrysalis Research & Consulting, LLC is a minority-owned business enterprise, women-owned business enterprise, and disability-owned business enterprise. Principal and founder Shuna Mason owns 100% of the firm. We are committed to partnering with various municipalities and qualifying populations in the hope that we can assist in shaping the housing environment that can be suitable for the citizens and the governing body.

INSURANCE REQUIREMENTS

Proof of Chrysalis's current insurance coverage is available upon request. Should The City of Council Bluffs Community Development Department select Chrysalis as a contractor, Chrysalis certifies that it will obtain any additional insurance coverage to meet the minimum limits stipulated in any Risk Management Provisions – Insurance and Indemnification for the City.

COVER LETTER

The City of Council Bluffs Community Development Department| 209 Pearl St Council Bluffs, IA 51503

Dear RFP Administrators:

Congratulations on your jurisdiction's qualification as an entitlement community under the HOME Investment Partnership. Chrysalis Research & Consulting, LLC welcomes the opportunity to offer this response to your Request for Proposals and stands ready to assist your community in preparing The City of Council Bluffs Community Development Department's Consolidated Plan, Action Plan, and Affirmatively Furthering Fair Housing document.

Chrysalis is uniquely positioned to assist the city with its planning services and other issues related to compliance with HUD guidelines and regulations. We understand that this planning process is designed to help the city with the community and economic development, assessing and planning for projected housing, special-needs population, and homelessness reduction and prevention needs.

The City of Council Bluffs has been an integral participant in policy reform in the history of the state of Iowa. Dedication to human well-being and higher standards of education is synonymous with the culture and environment of The City of Council Bluffs. Chrysalis Research & Consulting, LLC looks forward to assisting The City of Council Bluffs in keeping with these traditions with possibly a collaborative effort in writing the Consolidated Plan, Action Plan, and Affirmatively Furthering Fair Housing for the City of Council Bluffs. Chrysalis's consultants bring over 20 years of combined experience assisting local governments with planning and analysis needs related to HUD's CDBG and other formula grant programs.

Chrysalis' consultants have completed more than 20 fair housing and affordable housing studies, Consolidated Plans, Annual Action Plans, Neighborhood Revitalization Strategy Area Plans, Citizen Participation Plans, CAPERs, and HOME American Rescue Plan (HOME ARP) Allocation Plan for over 20 client jurisdictions across the United States. Chrysalis professionals stand ready to assist with completing these analyses in alignment with HUD legal requirements and contribute to data entry using HUD'S eCon and IDIS systems.

Chrysalis is dedicated to an inclusive stakeholder and community resident engagement process that incorporates feedback and needs of all relevant stakeholders, including those from disparate, vulnerable, and special needs populations. Therefore, as needed, Chrysalis is pleased to offer the plans with stakeholder and public engagement, including surveying and community meetings in Spanish. We also open our availability to evenings and weekend community meetings.

Housing Plan and an update to Consolidated Plan, Action Plan and Affirmatively Furthering Housing for the City of Council Bluffs

Chrysalis professionals are skilled at public outreach and engagement with racial and ethnic minority populations, including African American, Latino, and immigrant populations. We also work with the design of fair housing practices for additional special needs populations, including disability housing and senior housing, female-headed households, and multi-generational family housing.

At Chrysalis, we understand that fair and affordable housing availability is critical to sustainable economic growth and competitiveness. That's why our solutions are not only tailored to address local needs but are designed with implementation in mind. Our recommendations are realistic and actionable, and measurable so that our clients can demonstrate concrete results to stakeholders and citizens. Chrysalis's team offers extensive experience in community assessment, planning, and economic development, focusing on affordable and fair housing, stakeholder engagement, needs assessment, quantitative research, and GIS mapping.

Because our background encompasses planning, grant management, public administration, economic development, and social service administration, our firm has a unique understanding of the work to be performed for The City of Council Bluffs Community Development Department. We will include:

- Other recent plans and research.
- Collaboration with other local planning efforts.
- Meaningful community engagement.
- Insightful data analysis.
- Sound strategy recommendations.

We have familiarity and expertise with HUD'S regulatory requirements for the plans requested in the RFP, including HUD's Office of Fair Housing and Equal Opportunity AI Checklist. Chrysalis has the skill to assist the city with preparing the documents through the assessment, planning, and implementation processes.

As the undersigned representative, I am authorized to negotiate a potential contract on behalf of Chrysalis Research & Consulting, LLC. Chrysalis has no ongoing, pending, or possible legal actions against the firm. Feel free to contact me at 1(844)230-0454 via email at jason@thechrysalisconsultants.com or by mail at Chrysalis Research & Consulting, 1201 West Peachtree NW, Suite 2300, Atlanta, GA 30309.

FIRM BACKGROUND, HISTORY, AND QUALIFICATIONS

Firm History and Management

Chrysalis Research & Consulting, LLC is a Minority Business Enterprise/Women Business Enterprise/Disability Business Enterprise and limited domestic liability company organized under Georgia law, established in July 2019. The firm is owned and managed by its principal, Shuna Mason, and no overall corporate management or ownership changes are anticipated. The firm has four additional subcontractors that provide research, consultation, policy analysis, and technical assistance to clients full-time.

Chrysalis was formed with a firm understanding of the myriad factors that impact affordable housing, fair housing, and community and economic development. We understand that multiple economic, social, and political factors influence building healthy communities that uplift residents. For this reason, Chrysalis is committed to providing multidisciplinary and multidimensional research and consulting, incorporating expertise from fields such as urban planning, public administration, business, finance, social work, community health, and sociology.

The vast experience of our consultants allows us to conduct needs assessments that focus on intersectional factors that affect fair and affordable housing, community development, and economic viability. Our comprehensive needs assessments will enable us to design customized and workable solutions, best practices, and action plans that comply with HUD regulatory requirements and promote your community's and its residents' success.

Chrysalis is firm in its commitment to inclusivity in the public engagement process. It offers a community and stakeholder engagement process designed to improve the capacity to reach diverse community residents. Chrysalis is dedicated to a truly collaborative community process that incorporates diverse stakeholders in race, ethnicity, gender, income, religion, physical/mental ability, and perspective. These interactions with various people allow us to experience the full recognition of the breadth of community citizens and stakeholders impacted by the planning process. Chrysalis is proud to offer the availability of Spanish translation during the public engagement process as applicable, as well as evening and weekend community meetings.

Chrysalis professionals have over 20 years of combined experience addressing issues related to housing, including completing more than 20 fair housing and affordable housing analyses for clients across the country. These products included fair housing and equity assessments and analyses of impediments to fair housing choice for HUD grantees, housing market analyses and housing needs assessments for municipal clients, and a housing planning study for a state government regarding the reconstruction of affordable housing lost to a natural disaster. Our previous clients have included single municipalities and counties, consolidated governments, and multi-jurisdictional bodies. Our professionals have prepared fair housing analyses for rural,

suburban, and urban clients with populations ranging from 10,000 to more than four million residents.

.

Shuna Mason's background includes leadership positions within neighborhood revitalization projects, legal and legislative research, and the development of special needs housing strategies. Shuna is skilled in community asset mapping, a crucial component for assessing community needs and developing an affordable housing strategy that guides recommendations on where housing can be located to optimize the public amenities available to residents. Shuna has conducted and presented academic research on social phenomena, including concentrated poverty and economic mobility, which are essential factors that are frequently intertwined with affordable housing.

Jonathan Lynn has over 15 years of experience in public administration and more than ten years of experience working with the administration of the CDBG program. He has managed grant-funded projects ranging from $500,000 to $111 million related to housing development, public transportation, and job creation. His areas of expertise include the legal analysis of zoning and land-use policies, green (eco-friendly) land use and developmental policy, and leveraging public-private partnerships to promote community economic viability. As a consultant and public administrator, Jonathan has conducted over 15 affordable and fair housing studies, consolidated plans, comprehensive plans, master plans, and annual action plans.

Jason Wright has extensive experience in fiscal and economic policy, as well as banking, finance, and business development. His areas of expertise include policy related to mortgage lending, credit extension, and small business loan programs. He has achieved revenue generation for both businesses and nonprofits through procurement, portfolio management, and effect costs analysis and projections.

PREVIOUS EXPERIENCE

Chrysalis consultants have completed more than 30 assignments with scopes of work relevant to the proposed approach, such as fair housing analyses, affordable housing supply analysis, income-based housing needs assessment, community outreach, best practice research related to adequate housing, equitable strategy development, legal research regarding fair housing, zoning and ordinances, assessment of homeless and special population housing needs, and implementation planning to promote fair housing choice.

Our combined experience Consolidated Plan, Action Plan and Affirmatively Furthering Fair Housing documents for the City of Council Bluffs throughout the US highlights our understanding of similar housing market challenges The City of Council Bluffs Community Development Department, faces. With the city's overall goals in mind, our team will build on the city's housing vision to ensure that the city remains compliant with the latest HUD Fair Housing Office Policy guidance, HUD Community Planning, and Development Notices. Similar work is detailed below:

City of New Rochelle Consolidated Plan, Annual Action Plan. HOME ARP Program, and First Time Home Buyers Down Payment Assistance Program	
Location	New Rochelle, NY
Scope of Work	Consolidated Plan and Annual Action Plan • Needs assessment estimating housing needs (cost burdens by income level), homeless needs, and demand for accessible and special needs housing. • Market analysis analyzing the existing supply of affordable housing (by income level), homeless facilities, accessible housing, and other special needs housing units/programs. • Strategic plan to address priority housing needs over the next five years using HUD HOME and CDBG grants in combination with state, local, and private funds. Analysis of Down Payment Assistance Documents • Analysis of local housing supply, zoning and building codes, community resources, and other regulatory and market factors to identify barriers to fair housing choice due to race, ethnicity, national origin, religion, sex, disability status, or familial status. • Update all documents that are related to the Down Payment assistance program. HOME ARP Program • Identify Qualified Persons defined by HUD under the new parameters of the HOME-ARP program and prioritize the needs of said demographic. • Develop a funding plan based on the Gap analysis findings. Indicate the amount of HOME-ARP funding planned for each eligible activity. The First Time Home Buyers Down Payment Assistance Program

Housing Plan and an update to Consolidated Plan, Action Plan and Affirmatively Furthering Housing for the City of Council Bluffs

	• Establish appropriate home ownership programmatic approaches, in their marketplace, to attract and support buyers to invest in properties in targeted neighborhoods. • Demographic analysis: • Some of the data that was instrumental in completing the Gap analysis can be integral in developing a demographic profile for potential home buyers. Conducting a demographic analysis that includes important data like median age, household size, income, and population growth patterns will be beneficial in understanding the demand side of the market analysis. • Public Outreach Community meetings (2), focus groups (2), individual and small group interviews, online and hard • Methodology Review of existing plans, zoning, and other regulatory codes, and current affordable and fair housing resources. • Quantitative analysis of Census, American Community Survey, Comprehensive Housing Affordability Strategy (CHAS), HUD, Bureau of Economic Analysis, Home Mortgage Disclosure Act (HMDA), and other local, regional, and national data. • Qualitative analysis including a week-long site visit to conduct community outreach. • Results: Based on our research, the city prioritized its affordable housing incentive program and submitted a funding proposal for a needs-based capital improvements plan, targeted. Based on research, the City focused on the adoption of visibility ordinances by 2020 and began the formation of a regional civil rights organization to address fair and affordable housing issues• • Demographic analysis: Some of the data that was instrumental in completing the Gap analysis can be integral in developing a demographic profile for potential home buyers. Conducting a demographic analysis that includes important data like median age, household size, income, and population growth patterns will be beneficial in understanding the demand side of the market analysis. • Public Outreach Community meetings (2), focus groups (2), individual and small group interviews, online and hard copy survey in English and Spanish; Over 200 participants. Methodology Review of existing plans, zoning and other regulatory codes, and current affordable and fair housing resources. • Quantitative analysis of Census, American Community Survey, Comprehensive Housing Affordability Strategy (CHAS), HUD, Bureau of Economic Analysis, Home Mortgage Disclosure Act (HMDA), and other local, regional, and national data. • Qualitative analysis including a week-long site visit to conduct community outreach. • Results: Based on our research, the city prioritized its affordable housing incentive program, and submitted a funding proposal for a needs-based capital improvements plan, targeted. Based on research, the City focused on the adoption of visibility ordinances by 2020 and began the formation of a regional civil rights organization to address fair and affordable housing issues
Public Outreach	Community meetings (2), focus groups (2), individual and small group interviews, online and hard copy survey in English and Spanish; Over 200 participants.
Methodology	• Review of existing plans, zoning and other regulatory codes, and current affordable and fair housing resources. • Quantitative analysis of Census, American Community Survey, Comprehensive

	Housing Affordability Strategy (CHAS), HUD, Bureau of Economic Analysis, Home Mortgage Disclosure Act (HMDA) and other local, regional, and national data. • Qualitative analysis including week-long site visit to conduct community outreach.
Results	Based on our research, the city prioritized its affordable housing incentive program, submitted a funding proposal for a needs-based capital improvements plan, targeted. Based on research, the City focused on adoption of visibility ordinances by 2020, and began formation of a regional civil rights organization to address fair and affordable housing issues

City of East Orange Consolidated Plan, Annual Action Plan & Analysis of Housing Situation as well as Review of the Home Investment Partnership documents.	
Location	East Orange, New Jersey
Scope of Work	Consolidated Plan and Annual Action Plan • Needs assessment estimating housing needs (cost burdens by income level), homeless needs, and demand for accessible and special needs housing. • Market analysis analyzing the existing supply of affordable housing (by income level), homeless facilities, accessible housing, and other special needs housing units/programs. • Strategic plan to address priority housing needs over the next five years using HUD HOME and CDBG grants in combination with state, local, and private funds. Analysis of Down Payment Assistance Documents • Analysis of local housing supply, zoning and building codes, community resources, and other regulatory and market factors to identify barriers to fair housing choice due to race, ethnicity, national origin, religion, sex, disability status, or familial status. • Update of all documents that are related to the Down Payment assistance program.
Public Outreach	Community meetings (2), focus groups (2), individual and small group interviews, online and hard copy survey in English and Spanish; Over 200 participants.
Methodology	• Review of existing plans, zoning and other regulatory codes, and current affordable and fair housing resources. • Quantitative analysis of Census, American Community Survey, Comprehensive Housing Affordability Strategy (CHAS), HUD, Bureau of Economic Analysis, Home Mortgage Disclosure Act (HMDA) and other local, regional, and national data. • Qualitative analysis including week-long site visit to conduct community outreach.
Results	Based on our research, the City prioritized its affordable housing incentive program, submitted a funding proposal for a needs-based capital improvements plan, targeted. Based on research, the City focused on adoption of visibility ordinances by 2020, and began formation of a regional civil rights organization to address fair and affordable housing issues

City of Durham Consolidated Plan, Action Plan, NRSA, & Analysis of Impediments to Fair Housing Choice	
Location	Durham, North Carolina

Housing Plan and an update to Consolidated Plan, Action Plan and Affirmatively Furthering Housing for the City of Council Bluffs

Scope of Work	• Consolidated Plan, NRSA, and Annual Action Plan – Needs assessment and market analysis comparing affordable, accessible, and special needs housing demand to existing supply. Strategy to address priority needs using HUD grants with other public and private funds. • Analysis of Impediments to Fair Housing Choice – Analysis of housing supply, zoning codes, community resources and other regulatory and market factors to identify barriers to fair housing choice. Recommendations to address barriers and preserve/expand supply of affordable, accessible, and special needs housing.
Public Outreach	Community meetings (4), (1) focus group, individual interviews, online and hard copy survey in English and Spanish, project website; Over 250 community participants.
Methodology	Quantitative analysis and mapping of Census, American Community Survey, CHAS, HMDA, HUD, and other local, regional, and national data. Qualitative analysis including plan review, zoning code review, and week-long site visit to conduct public outreach.
Results	Based on our research, the City plans to allocate additional funds for rental housing versus a primary focus on homeownership assistance. Other recommendations include zoning code revisions, regulatory changes to allow additional rental housing, fair housing education activities, and incentives for workforce and accessible housing development.

St. Louis City and Cities of Florissant and O'Fallon Analysis of Impediments to Fair Housing Choice	
Location	St. Louis County, City of Florissant, and City of O'Fallon, Missouri
Scope of Work	Analysis of housing supply, zoning codes, community resources and other regulatory and market factors to identify barriers to fair housing choice. Recommendations to address barriers and preserve/expand supply of affordable, accessible, and special needs housing.
Public Outreach	Community meetings/hearings (8), individual interviews, online and hard copy survey in English and Spanish, project website; Over 100 participants and 300 website visitors
Methodology	Quantitative analysis and mapping of Census, American Community Survey, CHAS, HMDA, HUD, and other local, regional, and national data. Qualitative analysis including plan review, zoning code review, and week-long site visit to conduct public outreach. Review of eight zoning ordinances.

Results	Recommendations focused on strategies and incentives to encourage affordable and mixed income housing development, including in areas of the City with superior access to public resources. Zoning code revisions were also recommended, specifically to address restrictive definitions of "family" and related occupancy permitting requirements.

Client List

In addition to the projects outlined above, Chrysalis professionals have provided a variety of housing planning services to jurisdictions throughout the U.S. Below is a list of clients that we have successfully completed projects for, shown by product type:

Product/Key Services	Clients
Analyses of Impediments to Fair Housing Choice Fair Housing Equity Assessments	Athens-Clarke County, GA Cobb County, GA Gwinnett County, GA City of Gainesville, GA City of Rome, GA City of Roswell, GA City of Savannah, GA City of Durham, NC City of Dothan, AL City of Mobile, AL City of Wellington, FL St. Charles County, MO St. Louis County, City of O'Fallon, City of Florissant, MO Town of East Hartford, CT Waukesha County, WI Maricopa County, AZ City of Mesa, AZ City of Phoenix, AZ County of San Bernardino, CA
Consolidated Plans, Comprehensive Plan Housing Elements, and/or Housing Needs Assessments	Cobb County, GA City of High Point, NC Durham, NC Waukesha County, WI Williamson County, TX City of Mesa, AZ San Bernardino County, CA Surry County, VA Tybee Island, GA Tyrone, GA Douglassville, GA Waycross, GA Plano, TX Osceola County, FL Fort Meyers, FL

Housing Plan and an update to Consolidated Plan, Action Plan and Affirmatively Furthering Housing for the City of Council Bluffs

Proposed Schedule for Completion of The City of Council Bluff Department's Consolidated Plan, Action Plan, Affirmatively Furthering Fair Housing Update					
TASKS	**2023**				
	Jan-Feb	**Mar-Apr**	**May-June**	**July-Aug**	**Sept-Oct**
STAGE 1: PROJECT KICKOFF					
Initial Meeting					
Community Virtual Tour					
Review of Previous Plans/ Fair Housing Analysis Consolidate Plan, Home Program					
Community Engagement Review					
STAGE 2: NEEDS ASSESSMENT/ FAIR HOUSING ANALYSIS					
Community Meetings, Interviews					
Assessment of Community Needs/Fair Housing Barriers/Review of Fair Housing Complaints					
Demographic Profile of Qualified People					
Multiple virtual and phone meeting for stakeholders					
Market Analysis					
Assessment of Current Resources/Fair Housing Activity/Homeless Activities and Services					
Economic Analysis/Concentrations of Protected Classes, Poverty, & Lower-Income Families/Housing					
Publish notice of public hearing on proposed funding allocation					
Affordable and Housing Projections					
Barriers to Community Services and Affordable Housing					
STAGE 3: COMMUNITY, AND ECONOMIC NEEDS					
First drafts of CON Plan, Action Plan, completed					
30 Day Review Period					
Presentation of Draft Assessments and Strategies for Action Plan					
STAGE 4: ACTION/IMPLEMENTATION PLAN					
Plan Revision/Presentations of Annual Action Plan					
Affirmatively Furthering Fair Housing Update					
Submission of Revised Draft					
Submission of Final Assessment to IDIS					

Housing Plan and an update to Consolidated Plan, Action Plan and Affirmatively Furthering Housing for the City of Council Bluffs

TEAM MEMBER EXPERTISE	
Shuna Mason, Principal and Project Manager	• Affordable, fair, special needs, and workforce housing policy • Community engagement, surveying, and asset maps • Neighborhood engagement, revitalization, and preservation best p • GIS mapping and analysis • Public outreach to diverse communities • Legal research and analysis • Implementation and action planning
Jonathan Lynn, Senior Consultant	• Affordable housing policy, resources, and best practices • Zoning and land use policy • Public Infrastructure analysis • Economic development planning • GIS mapping
Michelle Sherill, Consultant	• Homeless needs assessment and prevention best practices • Accessible, supportive, and special needs housing best practices • Community/Stakeholder engagement • Community needs assessment • Community outreach to disparate and minority populations
Jason Wright, Consultant	• Economic Policy and analysis • Business development • Fiscal policy and analysis • Small business outreach and engagement • Economic development
Mecca Luster, Consultant	• Socioeconomic analysis • Small business development and job creation • Economic development planning • Community outreach with diverse populations

Shuna L. Mason, PhD., Principal
(1(844)855-5580
Shuna@achrysaliscommunity.com

EDUCATION

University of Kentucky
Lexington, Kentucky, 2019, Ph.D. in Social Work,

Bryn Mawr College Graduate School of Social Work and Social Research, Bryn Mawr, MA in Social Service and
Master of Law and Social Policy
Pennsylvania, 2003

Hendrix College,
Conway, Arkansas, June 2001,
BA in Sociology/Anthropology

SAMPLE PROJECT EXPERIENCE

Waukesha County, WI, *Analysis of Impediments to Fair Housing Choice, Consolidated Plan, Annual Action Plan*

City of Mesa, AZ, *Analysis of Impediments to Fair Housing Choice, Consolidated Plan, Annual Action Plan*

County of San Bernardino, CA, *Analysis of Impediments to Fair Housing Choice, Consolidated Plan, Annual Action Plan*

Town of East Hartford, CT, *Analysis of Impediments to Fair Housing Choice*

City of Phoenix, AZ, *Analysis of Impediments to Fair Housing Choice*

Maricopa County, AZ, *Analysis of Impediments to Fair Housing Choice*

Shuna is a public policy and research analyst with extensive experience in fair and affordable housing, community economic development, social science research, academia, and non-profit management. Her specializations include the impact of socioeconomic factors on labor development,
economic mobility, community economic development, and health and educational disparities. Her background includes housing and community needs assessments, fair housing studies, community revitalization plans, public opinion surveys, technical assistance to federal grantees, project management for federal grants, and legislative consultation on health, education, and economic development.

Shuna's research experience includes the impact of housing and federal funding on business and community development, the impact of capital access on small business and workforce development, and ethnographic research on land use policies. She has presented research findings at national and international conferences.

Principal, Chrysalis Research & Consulting, Atlanta, GA, 2019 – Present

- Serve on project teams for community development consulting engagements, including fair housing studies; affordable housing needs assessments, comprehensive plans, and other community development studies.

Principal, Mosaic Community Planning, Atlanta, GA, 2015 – Present

- Serve on project teams for community development consulting engagements, including fair housing studies; affordable housing needs assessments, comprehensive plans, and other community development studies.

Research Consultant, WFN Consulting, Marietta, GA, 2014 – 2015

- Assisted public sector clients in identifying housing, community development, economic development, and fair

Housing Plan and an update to Consolidated Plan, Action Plan and Affirmatively Furthering Housing for the City of Council Bluffs

housing needs through analyses of impediments to fair housing, fair housing equity assessments, consolidated plans, comprehensive plans, and market analyses.
- Designed and implemented quantitative and qualitative data analysis, including surveys, focus groups, and interviewing processes.
- Conducted research and analysis in socioeconomics, housing, economic development, health, education, and poverty in varying geographical areas.
- Analyzed demographic patterns to determine levels of access to economic, educational, health, and housing opportunity factors.
- Identified community assets and gaps in access, along with strategies for encouraging small business development and community economic revitalization.

Bachelor of Social Work Program Director & Assistant Professor
Union University, Memphis, TN, 2010 – 2014

- Partnered with community organizations to conduct community asset mapping, needs assessments, revitalization efforts, workforce development, and promote positive educational and health outcomes.
- Provided training and technical assistance to over 75 practice sites including community organizations, educational institutions, non-profits, and public and private institutions.

Research Assistant, University of Kentucky – Green Dot Project, Lexington, KY, 2011 – 2013

- Provided research support for a project designed to prevent sexual violence through bystander education.
- Conducted and analyzed results of stakeholder interviews, focus groups, and community surveys.
- Assisted in data management and analysis, training and technical assistance, and literature reviews.

Patient Services Manager, Leukemia & Lymphoma Society, Memphis, TN, 2007 – 2010

- Coordinated community outreach initiatives and health advocacy campaigns.
- Completed community public health programming on health disparities and clinical trials access in African- American and Latino communities.

- Designed, planned, and implemented state public health conferences and campaigns through collaboration with government officials, community stakeholders, local hospitals and clinics, educational institutions, and the media.
- Built strategy and provided technical support and consultation for a local 10-Year Plan to end chronic homelessness.

EDUCATION

Georgia Southern University,
Statesboro, Georgia, MPA

Georgia Southern University,
Statesboro, Georgia, BA in Political Science

TRAINING

- Graduate, Leadership Tybee Island
- Graduate, Leadership Douglas County
- Graduate, Georgia Academy of Economic Development
- ICMA Emerging Leaders Development Program
- Gettysburg Leadership Institute

SPECIALTIES

- Strategic Planning
- Resource Allocation
- Statistical Analysis
- Capital Improvement Planning
- Project Management
- Comprehensive Planning

Jonathan Lynn, MPA, Senior Consultant
1(844)855-5580
jonathan@AChrysalisCommunity.com

Jonathan Lynn is a senior level consultant with extensive experience in public administration, federal grant management, and land-use policies. Jonathan has provided administration on community and economic development projects including code enforcement, social service provision, neighborhood and urban revitalization, and transportation with budgets ranging from $500,000 to $111 million. His areas of expertise include planning, zoning, and land use policies, affordable housing policies and best practices, creating public-private partnerships to promote affordable housing and community development, and implementation of "green" and energy efficient programs and policies.

City Administrator, Surry County, Virginia 2017 – 2019

- Responsible for development and oversight of annual budget and work programs designed to implement the legislative policies and priorities of the Board of Supervisors.
- Serve as the point of contact for all City matters for each Department, elected constitutional officers, and public inquiries.
- Manage over 100 employees and a $52 million annual operating budget that also included Surry City School System and the Department of Social Services.
- Implemented a work group among various agencies that provides a coalition within the City to increase services for Mental Health clients.
- Increased collaboration efforts with rural power cooperative to provide broadband access to underserved locations throughout the County.
- Fostered the creation of communication and outreach programs in underserved portions of the County.

Town Manager, Town of Tyrone, Georgia, 2017 – 2018

- Initiated organizational Five-Year Strategic Plan establishing annual Policy and Management Priorities including a comprehensive Action Item Agenda and reporting format.

Housing Plan and an update to Consolidated Plan, Action Plan and Affirmatively Furthering Housing for the City of Council Bluffs

- Established comprehensive Annual Budget Calendar/Process providing specific direction to departments and a written recommended balanced budget to the Mayor and Town Council
- Responsible for implementation of new Legislative/Agenda Management initiatives for increasing municipal transparency
- Completed comprehensive evaluation of Solid Waste Collection Services – resulting in increased revenues through lowering rates and maintaining all staff levels.

Community and Development Services Director, City of Douglasville, Georgia, 2015 – 2017

- Responsible for management and oversight of the City's Community Redevelopment Agency including the agency's tax increment financing funds and public projects funded by bond revenues Provided executive level leadership by assisting City Manager in directing the operations of a diverse urban City with roughly 300 employees and total budget of approximately $30 million.
- Provided direct oversight of Planning, Zoning, Inspections, Permitting, Development Services, Tourism, Community Development, Economic Development, Main Street, a Regional Welcome Center, and a 37,000 square foot Conference Center
- Initiated a new downtown planning effort to spur revitalization and visioning for the Downtown Douglasville area, including redevelopment of a 10-acre site previously used as a City jail facility
- Established a Community Constituency Group with the local building and real estate industry to evaluate and provide feedback on the City's building permit process
- Oversaw large state-funded transportation projects for the City with budgets ranging from $600,000 to a comprehensive road realignment project with a budget of $111 million
- Utilized a consensus approach methodology with all division heads to develop vision and mission statements and created SOPs for the entire department

Affordable Housing Manager & Research Consultant, WFN Consulting, Inc., 2012 – 2015

- Managed the entire affordable housing grant portfolio for Cobb County, GA and its approximately 700,000 residents Served as project manager for property acquisition,

construction, and housing rehabilitation projects funded through federal housing programs
- Conducted comprehensive land use and zoning analysis for planning engagement projects throughout United States
- Lead citizen engagement efforts on various projects including kick-off meetings, community input forums, and charrette style agency meetings
- Responsible for structuring public-private collaboration efforts to build senior living complex in Marietta, GA, which provided for affordable rent limits on public funding while maintaining market rate rental units, which resulted in a $30 million finished project.
- Solicited efforts to utilize Habitat for Humanity to take over a failed development when the developer ceased operations. Through this collaboration, Habitat was able to construct a full residential subdivision with new homes and 100% sold during construction in 2012-2013
- Developed solar programming component for WFN that provided an alternative revenue stream for the company and integrated efforts to reduce homeownership costs for residential units under construction.
- Created and served as the project director for the land-use planning division of WFN

Planning and Zoning Manager, City of Tybee Island, Georgia, 2009 – 2011. Planning and Zoning Manager 2009 – 2011

- Supervised all staff members in the Planning and Zoning Department and included responsibility of Planning, Zoning, Community Development, Economic Development, Main Street Program, Inspections, Permitting, Business Licenses, and GIS
- Developed strategies to ensure that Tybee would encourage economic development on the island while protecting the current built environment, including all issues related to the permanent resource carrying capacity
- Handled all departmental presentations to the Mayor and Council regarding ordinance revisions, sign permits, subdivision regulations, GIS Projects, and all other pertinent land-use matters
- Served as the city's representative on the regional planning organization's planning and transportation planning committee.

- Served as the acting City Manager during the manager's absence. *Accomplishments*
- Formed the Bicycle and Pedestrian Committee and received a "Bike Friendly" designation for the City of Tybee Island (2009-2010)
- Completed a rewrite of the entirety of the City's Sign Ordinance that included environmental protections for endangered wildlife while protecting the Island's unique character (2009)
- Collaborated with the City's Emergency Management staff to draft and participate in the "Hurricane Gilligan" exercise for hurricane preparedness (2010)
- Coordinated and implemented a wayfinding signage program for the island, which was completed through agency input and engaging local businesses to determine appropriate island destinations.
- Received and managed Energy Efficiency Conservation Block Grant [EECBG] to reduce overall energy consumption through municipal buildings

Community Improvement Director, City of Waycross, Georgia, 2007 – 2009 Community Improvement Director 2007 – 2009

- Supervised all staff members in the Planning and Zoning Department and included responsibility of Planning, Zoning, Community Development, Economic Development, Main Street Program, Inspections, Permitting, Business Licenses, and GIS
- Restored the City to compliant status with the CHIP program after formulating an expenditure plan to provide over $600,000 in homeowner rehabilitation and down payment assistance funds.
- Leveraged over $1 million on local contributions for a $500,000 Community Development Block Grant to begin a neighborhood revitalization project that included demolition of a dilapidated school and construction of a community multi-purpose facility.
- Created and implemented a neighborhood blitz campaign to assist code enforcement efforts with a 50% reduction through homeowner abatement.

Supervised the Housing and Community Development Department.

- Provided technical assistance to grant sub-recipients to improve compliance with federal and state regulations and improve service delivery models.
- Managed CDBG programming including completion of environmental reviews, the implementation of a pilot affordable housing program, and neighborhood stabilization programs.
- Conducted studies and implemented action planning regarding neighborhood revitalization and stabilization, slum and blight reduction, and community redevelopment.

Jason Wright
1(844)855-5580
jason@achrysaliscommunity.com

EDUCATION

University of Tennessee, Knoxville Bachelor of Arts and Sciences in Economics

University of Memphis
Master of Science in Finance

SPECIALTIES

- Economic Policy
- Finance Housing
- Market Analysis
- Rental Marketing Analysis

Jason Wright is a Senior Consultant and policy analyst with over 15 years of experience in banking, accounting, finance, property management, and real estate. . He is skilled at conducting rental and housing market analyses and the development of marketing and surveying tools for the financial and real estate sectors

Jason has expertise in financial and economic policy. He has experience in budgeting, and revenue generation through procurement, costs reduction initiatives, and building partnerships to promote investments. He has worked with businesses and nonprofits to increase development through strategic planning, managing budgets and portfolios, and implementation of cost control policies and procedures. He has over five years of experience in the banking and finance fields with extensive experience in lending and credit practices with specializations in the mortgage, small business, real estate, construction, retail, and healthcare industries.

Senior Property Specialist/Rental Property Analyst, Renter Locators, LLC, Atlanta, GA August 2016-Present

- Developed relationships with apartment managers, leasing agents, property specialists, real estate agents, and local businesses to determine rental market needs. Procured sales and resident referral contracts with over 100 apartment communities. Managed sales force of 5-10 Property Specialists. Responsible for "shopping" residential properties. Developed and maintained a resident referral and retention program. Responsible for leasing apartments, telephone inquiries, developing and greeting prospects, touring apartments, facilitating applications and deposits, verifying information, and follow-up of all prospects. Conducted marketing surveys, developed marketing materials, and implemented marketing strategies based on survey analysis. Maintained contract obligations with apartment communities and real estate agencies.

Property Specialist, Promove, LLC, January 2015-June 2016

Housing Plan and an update to Consolidated Plan, Action Plan and Affirmatively Furthering Housing for the City of Council Bluffs

- Responsible for procuring and maintaining resident leads for over 600 apartment communities. Responsible for leasing apartments, telephone inquiries, developing and greeting prospects, touring apartments, facilitating applications and deposits, verifying information, and follow-up of all prospects Implemented marketing strategies to match property amenities to prospective client needs. Responsible for ensuring monthly, quarterly, and annual leasing goals are met or exceeded**.**

Finance Manager, Security Nationals Protective Services, LLC, August 2009-December 2015 Washington, D.C.

- Prepared financial statements, maintained cash controls, prepared payroll, maintained accounts payable, and managed office operations. Responsibility for personnel management for a team of 10-25 sales professionals. Provided supervision and training and ultimately responsible for staff completion of financial and sales goals. Performed financial market analysis to set sales goals and ensure appropriate pricing of products. Utilized analysis to prepare and present finance reports detailing trends in sales, costs, and annual fiscal projections to management and board of directors. Coordinated with marketing staff to set and implement marketing goals, strategies, and plans.

Accountant, James Wright, CPA, January 2010-July 2014, Memphis, TN

- Performed financial market analysis to increase profitability by ensuring strategic pricing and sales goals. Prepared financial reports detailing market trends in sales, costs, and profits. Sold accounting services and developed marketing plan to sale accounting services. Conducted internal and external audits. Consulted with clients on pricing, billing, general ledgers, account reconciliation, and profits to improve agency efficiency and profitability. Consulted with client on development of business and marketing plans to improve on profitability and secure external financing.

Branch Sales Manager, Bank of America, April 2006-August 2009 Memphis, TN

- Implemented sales strategies and marketing techniques that generated new customers and business. Handled questions and provided outstanding customer service, regarding new

accounts, billing, complaints, account activation, and closed accounts.
- *Received Award of Excellence in 2007.*
- *First place Sales Associate in region for Quarters 1 & 3 and second place Sales Associate in region for Quarter 4.*
- *Banking Center was in the top 1% of All Bank of Americas in the county.*

Personal Banker, Union Planters Bank, December 2003-March 2006, Memphis, TN

- Analyzed customer financial needs and credit to determine and recommend financial services and financial management plans. Acted as liaison to help customers complete all requirements and secure needed financial services including loans and credit lines. Provided excellent customer service and assistance to help customers with account maintenance and debt consolidation plans.

Financial Advisor, Waddell & Reed Financial Services, February 2002-May 2003

- Performed detailed analysis of market to develop sales strategies and goals. Implemented marketing strategies to successfully exceed sales targets. Maintained a consistent awareness of the competition as well as developments in the finance industry.

Michelle Sherrill
1(844)855-5580
Michelle@achrysaliscommunity.com

EDUCATION

Indiana University School of Social Work, Indianapolis, IN 2002, MA Social Work

Indiana University School of Social Work, Indianapolis, IN 2000, BA Social Work

SPECIALITIES

- Community Needs Assessment
- Homelessness Prevention
- Social Service Administration

Michelle Sherrill is a skilled research analyst with expertise the in social science economic development, social policy, and health research sectors. She has worked extensively in the fields of community economic development, work force development, mental health, research, academia, and non-profit management. Her specializations include public service and nonprofit administration, youth labor force development, and health and educational disparities. Her background in research includes performing qualitative and quantitative evaluation for private and public sector clients including SWOT analysis, community revitalization plans, technical assistance to federal grantees, project management for federal grants, and legislative consultation on health, education, and economic development. Michelle's research experience includes the impact public policy on mental health services, health outcomes, and educational disparities.

Health Systems Coordinator, Lakeside Behavioral Health System, Memphis, TN. 2014 – 2019

- Facilitated Medicare, Medicaid, HMO, and private insurance requirements with applicable admission criteria and policies. Coordinated with physicians, nurses, patient, social service agencies, key stakeholders, referral sources, insurance companies, staff, state, and federal entities.
- Monitored adherence to federal and state Joint Commission, Medicaid, Medicare, and private insurance outcomes and policies. Provided training and professional development to the staff regarding procedures for the delivery of services.

Union University, Director of Internships/ Assistant Professor, Memphis, TN, 2011 – 2014

- Provided administrative and curriculum oversight of the Social Work field and internship Program. Assist in the design, development and implementation of assessment plan, including observation of stakeholder competencies, field education evaluations, and other best practice assessment tools; continuously research the literature to ensure best practices are applied in all aspects of field education.

Housing Plan and an update to Consolidated Plan, Action Plan and Affirmatively Furthering Housing for the City of Council Bluffs

- Meet with agency CEO's and other appropriate agency personnel to strengthen partnerships and help in the design of best practice learning experiences for students.

Resources for Human Development (RHD) Director, Memphis, TN 2009 – 2011

- Planned program growth and development, including special projects, analysis trends in program services, training staff and clients, and assisting in representing the program to networks of service providers.
- Monitored and adhered to state, licensure, federal applicable entities policies, contracts, procedures, outcome measurements, and future program goals. Performed presentations and training workshops to community stakeholders. Prepared and submitted annual grants and program outcomes, reports on the achievement of goals and outcomes.

Catholic Charities Inc. / Director of Homeless Services, Memphis, TN , 2006 – 2009

- Responsibilities included supervising compliance contracts cross functionally; program development for the Housing Choice Programs and HUD/Tax Credit conventional family shelters/properties. Analyzed trends in program services, training staff and clients, and assisting in representing the program to networks of service providers.
- Developed and supervised budgets in excess of $ 2 million, administered program expenditures, and evaluated options to maximize fiscal resources. Managed compliance with standards mandated by both state and federal regulations and contracts.
- Partnered with the legal enforcement, Section 8, and other community-based agencies to ensure clients received enhanced care. Monitored and adhered to
- HUD, maternity licensure, and other applicable entities policies and procedures. Reviewed state policies and procedures, outcome measurements, and future program goals.

Porter-Leath Children's Center, Program Supervisor, Memphis, TN, 2004 – 2006

- Supervised a child mental health and development program. Conducted project management including special projects, analysis trends in program services, training staff and clients,

and assisting in representing the program to networks of service providers.

IPS Day Adult High School/Goodwill Industries Indianapolis, IN 2002 – 2004 *Counselor/Coordinator*

- Responsibilities included overseeing compliance of WIA youth contracts cross functionally; proposal development; supervising program participants; planning program growth and development, including special projects, analysis trends in program services, training students, and assisting in representing the program to networks of service providers, and coalitions dealing with human services.
- Assisted youth and families in exploring career paths and assisted in overseeing a Career Exploration Program. Facilitated participation in Individual Program Plans (IPP) for more than 100 clients to help to determine best service plans for the clients.

EDUCATION

Howard University,
Washington, DC, May 2016, BBA. Finance

Harvard Business School,
Cambridge, MA Externship Summer 2015, Summer Venture in Management Program

HONORS AND AWARDS

Peace Corps Panama, Leadership Award 2018

Howard University School of Business Executive Leadership Honors Program (VP 2015-2016)

Mecca Luster, Consultant
1(844)855-5580
Mecca@AChrysalisCommunity.com

Mecca is a policy analyst and consultant with a specialization in fiscal policy analysis, economic development, workforce development, and small business advisement and growth strategies. She has worked as an advisor to small business aiding in the development of partnerships to develop small business incubators and financial resources and providing training and technical support related to financial and project management. She is skilled in grant procurement, administration, reporting, and technical writing. Her areas of interest include small business development, workforce development, and the enhancement of entrepreneurship and microenterprise for women. Mecca is highly experienced in public outreach for disparate populations and is fluent in Spanish.

EnCompass LLC, New Business Development Assistant, Rockville, MD 2018 – 2019

- Leading the migration and establishing new processes for the BD department to migrate from a legacy server to Sharepoint.
- Developed a detailed migration plan including creating training videos, SOPs, strategic timelines, and serving as the primary point of reference for my department Recognized as a leader and early adapter of SharePoint and offered support to the project team leading the company-wide migration
- Coordinating across departments to ensure that company-wide knowledge management is consistent and up to date.

Milken Institute, Research Associate-Independent Contractor, Washington, D.C., 2018

- Conducted economic research designed to improve community economic development and job growth efforts through report scouring, data analysis, and data entry.
- Prepared briefing books for executive staff review.

Housing Plan and an update to Consolidated Plan, Action Plan and Affirmatively Furthering Housing for the City of Council Bluffs

United States Peace Corps, *Business Advisor* (agriculture-focused), Darien, Panama, 2016 – 2018

- Worked closely with local agencies and nonprofits to offer consulting services focused on the indigenous communities.
- Proposed and managed two grant projects including creating and managing a team, budget forecasting, budget variance reports, and contract close-out to build a multisport court and a community office Trained 54 community members in accounting principles, small business management, and project management.
- Advised a community bank with over 60 members and trained the leaders to manage assets. Provided consulting services to two tourism groups on how to effectively market their services and price their goods Created and improved financial systems for the tourism groups, community bank, and community government.

Volunteer, Advisory Council, *Treasurer*, Panama, 2017 – 2018

- Built a team and led the analysis of the volunteer living allowance data and later offered a proposal which resulted in a 10% allowance increase for all volunteers Elected to serve as an advisor to the executive staff to ensure that volunteer needs were being met.
- Created various systems for volunteers in the future to request an increase in the overall volunteer living allowance, to manage funds, and to manage merchandise transparently.

- Chaired the logistics for multiple volunteer events, including managing the budget, volunteer funds, and communicating with service providers for over 150 volunteers.

J.P. Morgan Chase, *Financial Analyst,* New York City, New York, 2015-2017

- Supported the IB business unit using quantitative analysis to provide end-to-end financial management to business leaders .
- Simplified complex data sets to analyze variances in expenses over time to explain to business leaders ▪ Assisted in the development of an income statement tracker to ensure accuracy among data sources.

Eli Lilly, *Finance Analyst,* Indianapolis, IN, 2014

- Supported a sales unit by customizing reports to send to brand leaders using SAP Business Objects to help guide business decisions.
- Participated in a case study and analyzed the financial risk of new molecules in research and development

PROJECT COSTS

For the performance of the scope of services detailed herein, Chrysalis proposes a firm fixed price inclusive of all costs associated with the project. Specifically, Chrysalis's fixed price includes cost of staff to oversee, manage, and perform the specified services, cost of office supplies, and the costs to prepare, print, and bind the final product.

Chrysalis proposes a $65,000.00 fixed-firm price, not-to-exceed fee for the research and with the preparation of the Consolidated Plan, Action Plan and Affirmatively Furthering Fair Housing for the City of Council Bluffs

Consolidated Plan, Action Plan and Affirmatively Furthering Fair Housing for the City of Council Bluffs	
Personnel Costs	
Community Input and Data Collection, travel cost	$4,000
Consolidated Plan, Action Plan and Affirmatively Furthering Fair Housing for the City of Council Bluffs	$50,750
Phase 2: Presentation & Approval of Documents	$3,800
Subtotal	**$58,550**
Occupational Cost	
Kick-off meeting and community tour	$500
Community workshops and one-on-one interviews	$3,600
Presentation of draft	$500
Public hearing	$500
Subtotal	**$5,100**
Printing / Report Production	
Production of final documents; transcripts, copies of surveys, meetings minutes	$600
Proofreading, Copyediting, and Substantive editing	$750
Subtotal	**$1350**
Total Proposed Project Fee	**$65,000.00**

Housing Plan and an update to Consolidated Plan, Action Plan and Affirmatively Furthering Housing for the City of Council Bluffs

REFERENCES

Chrysalis Research & Consulting staff conducted fair housing studies and to other housing and community and economic development related studies are provided below. Note that principals completed this work while employed together at WFN Consulting or with other entities.

WAUKESHA COUNTY, WISCONSIN

Project included the completion of a six-month projecting including an Analysis of Impediments to Fair Housing Choice, Consolidated Plan, and Annual Action Plan. Public outreach involved six public meetings, stakeholder input from 56 organizations, and community survey administration and data analysis with 383 respondents. The study included a protected class analysis, an examination of housing affordability, assessments of public and private sector policies and practices, identification of impediments to fair housing choice, and recommendations to address barriers.

Contact: Kristin Silva, Community Development Coordinator
Waukesha County Department of Parks and Land Use
515 W. Moreland Blvd., Room AC 320, Waukesha, WI 53188
ksilva@waukeshacounty.gov – (262) 896-3370

ST. LOUIS COUNTY and the CITIES of FLORISSANT and O'FALLON, MISSOURI

Services included completion of completion of a six-month project including an Analysis of Impediments to Fair Housing Choice covering each of the three jurisdictions. The process involved five community meetings, 30 stakeholder interviews, a survey with 57 respondents, and three public hearings. Key components of the study included an analysis of protected classes, an examination of housing stock and affordability, a review of local zoning ordinances, assessments of other public and private sector policies and practices, identification of impediments to fair housing choice, and recommended strategies for addressing barriers.

Contact: Jim Holtzman, Director
St. Louis County Office of Community Development
41 S. Central, 5th Floor, Clayton, Missouri 63105
JHoltzman2@stlouisco.com – (314) 615-4414

COUNTY of SAN BERNARDINO, CALIFORNIA

Services included completion of an 8-month project including an Analysis of Impediments to Fair Housing Choice,
Consolidated Plan, and Annual Action Plan. Mosaic principals performed community engagement, public outreach, and designed and implemented a community survey. These activities focused on identifying priority community development, economic development, and fair and affordable

Housing Plan and an update to Consolidated Plan, Action Plan and Affirmatively Furthering Housing for the City of Council Bluffs

housing needs, and then developing strategies and programs to address them over a five-year timeframe. Over 800 residents completed the survey, 14 organizations participated in interviews, and the team held 6 community meetings.

The Analysis of Impediments included a protected class analysis, an examination of housing affordability, assessments of public and private sector policies and practices, identification of impediments to fair housing choice, and recommendations to address barriers.

Contact: Debbie Kamarani, Deputy Director
County of San Bernardino Community Development and Housing
Department
385 N. Arrowhead Avenue, 3rd Floor, San Bernardino, CA 92415
dkamarnai@cd.sbcounty.gov – (909) 387-4327

CITY of EAST ORANGE, NEW JERSEY

Services included completion of a Consolidated Plan 2021-2025 and Actions Plans for 2020 and 2021 covering the housing goals of the jurisdiction. The process involved multiple virtual community meetings, 25 stakeholder interviews, a survey with 153 respondents, and one public hearings. Key components of the study included an analysis of protected classes, an examination of housing stock and affordability.

Contact: Tiffany Delany, Director
East Orange Office of Policy, Assistant Director | Office of Policy, Planning and
44 City Hall Plaza, East Orange, NJ 07018
Tiffany.Harris-Delaney@eastorange.com – (908)380-2087

CD 2022 - 18

Housing Plan and Updates to the Consolidated Plan, Action Plan and Affirmatively Furthering Fair Housing

Issue Date: 10/26/2022
Questions Deadline: 11/7/2022 04:00 PM (CT)
Response Deadline: 11/15/2022 12:00 PM (CT)

Contact Information

Address: Community Development
209 Pearl St
Council Bluffs, IA 51503

Event Information

Number:	CD 2022 - 18
Title:	Housing Plan and Updates to the Consolidated Plan, Action Plan and Affirmatively Furthering Fair Housing
Type:	Request for Proposal
Issue Date:	10/26/2022
Question Deadline:	11/7/2022 04:00 PM (CT)
Response Deadline:	11/15/2022 12:00 PM (CT)
Notes:	

The City of Council Bluffs Community Development Department is requesting proposals from qualified Consultants to create a Housing Plan and to update the City of Council Bluffs' Consolidated Plan, Action Plan and Affirmatively Furthering Fair Housing (AFFH).

The City of Council Bluffs will accept electronic bid submittals in IonWave until the date and time listed for this solicitation. Hard copy bid submittals are not acceptable and will not be considered. Any bid submitted after the deadline will be automatically rejected.

Each respondent is responsible for taking the necessary steps to ensure their submission is received and complete by the listed deadline. Incomplete submissions are automatically rejected. The City is not responsible for technical difficulties and will not allow late submissions due to the same.

The bid will be administered and overseen by the Community Development Department.

All questions are to be submitted through IonWave.

Ship To Information

Address: Community Development
209 Pearl St
Council Bluffs, IA 51503

Billing Information

Address: Community Development
209 Pearl St
Council Bluffs, IA 51503

Bid Attachments

Request of Proposal_FINAL.pdf

Download

Request for Proposal

Requested Attachments

Proposal

(Attachment required)

Please upload submitted proposal as one document.

Bid Attributes

1 Proposal Acknowledgement

I hereby certify that I have reviewed the RFP in its entirety and accept the terms and conditions.

☒ 0

(Required: Check all that apply)

2 Required Contract Language

REQUIRED CONTRACT LANGUAGE

All project contracts shall contain at a minimum the following provisions, as appropriate. ALL CONTRACTS

1.Access and Maintenance of Records

The contractor must maintain all required records for five years after final payments are made and all other pending matters are closed.

At any time during normal business hours and as frequently as is deemed necessary, the contractor shall make available to the City of Council Bluffs, the State Auditor, the General Accounting Office, and the Department of Housing and Urban Development, for their examination, all of its records pertaining to all matters covered by this contract and permit these agencies to audit, examine, make excerpts or transcripts from such records, contract, invoices, payrolls, personnel records, conditions of employment, and all other matters covered by this contract.

2.Civil Rights

The Contractor must comply with the following laws and regulations:

·Title VI of the Civil Rights Act of 1964 (P.L. 88-352).

States that no person may be excluded from participation in, denied the benefits of, or subjected to discrimination under any program or activity receiving Federal financial assistance on the basis of race, color, or national origin.

·Title VIII of the Civil Rights Act of 1968 (Fair Housing Act), as amended.

·Iowa Civil Rights Act of 1965. This Act mirrors the Federal Civil Rights Act.

·Section 109 of Title I of the Housing and Community Development Act of 1974, as amended (42 U.S.C. 5309).

Provides that no person shall be excluded from participation in, denied the benefits of, or subjected to discrimination on the basis of race, color, national origin, sex, age, or handicap under any program or activity funded in part or in whole under Title I of the Act.

·The Age Discrimination Act of 1975, as amended (42 U.S.C. 1601 et seq.)

Provides that no person on the basis of age, be excluded from participation in, be denied the benefits of or be subjected to discrimination under any program or activity receiving Federal financial assistance.

·Section 504 of the Rehabilitation Act of 1973, as amended (P.L. 93-112, 29 U.S.C. 794).

Provides that no otherwise qualified individual shall solely by reason of his/her handicap be excluded from participation in, be denied the benefits of, or be discriminated against under any program or activity receiving Federal financial assistance.

·Americans with Disabilities Act (P.L. 101-336, 42 U.S.C. 12101-12213)

Provides comprehensive civil rights to individuals with disabilities in the areas of employment, public accommodations, state and local government services, and telecommunications.

·Section 3 of the Housing and Urban Development Act of 1968, as amended (12 U.S.C. 1701u).

Provides to the greatest extent feasible, that training and employment opportunities be made available to lower-income residents of project areas and that contracts be awarded to small businesses located within the project area or owned in substantial part by project area residents.

·Federal Executive Order 11246, as amended by Executive Order 11375. Provides that no one be discriminated in employment.

·Federal Executive Order 11063, as amended by Executive Order 12259.

3.Termination Clause

All contracts utilizing CDBG funds must contain a termination clause that specifies the following:

·Under what conditions the clause may be imposed.

·The form the termination notice must take (e.g., certified letter).

·The time frame required between the notice of termination and its effective date.

·The method used to compute the final payment(s) to the contractor.

4.Certification regarding government-wide restriction on lobbying.

All contracts utilizing CDBG funds must contain the following certification concerning restriction of lobbying:

"The Recipient certifies, to the best of his or her knowledge and belief, that:

i.No Federal appropriated funds have been paid or will be paid, by or on behalf of the Recipient, to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any Federal contract, the making of any Federal grant, the making of any Federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal contract, grant, loan, or cooperative agreement.

ii.If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee, or an employee of a Member of congress in connection with this Federal contract, grant, loan, or cooperative agreement, the Recipient shall complete and submit Standard Form-LLL, "Disclosure Form to Report Federal Lobbying" in accordance with its instruction.

iii.The Recipient shall require that the language of this certification be included in the award documents for all subawards at all tiers (including subcontracts, subgrants, and contracts under grants, loans, and cooperative agreements) and that all subrecipients shall certify and disclose accordingly. This certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by section 1352, title 31, U.S. Code. Any person who fails to file the required certification shall be subject to a civil penalty of not less than $10,000 and not more than $100,000 for each such failure."

5.Lead-Safe Housing Regulations (As applicable)

24 CFR Part 35 et. al.

Requirements for Notification, Evaluation and Reduction of Lead-Based Paint Hazards in Federally Owned Residential Properties and Housing Receiving Federal Assistance, Final Rule

6.Standards and Policies Relating to Energy Efficiency

Pub. L. 94-163, 89 Stat. 871

Mandatory standards and policies relating to energy efficiency which are contained in the state energy conservation plan issued in compliance with the Energy Policy and Conservation Act.

7.Notice of Awarding Agency Requirements and Regulations Pertaining to Reporting

The Contractor must provide information as necessary and as requested by the City of Council Bluffs for the purpose of fulfilling all reporting requirements related to the CDBG program.

ALL CONTRACTS IN EXCESS OF $10,000

In addition to the preceding provisions, all contracts in excess of $10,000 must include the following language, pursuant to Federal Executive Orders 11246 and 11375:

"During the performance of this contract, the contractor agrees as follows:

1)The contractor will not discriminate against any employee or applicant for employment because of race, color, religion, sex, or national origin. The contractor will take affirmative action to ensure that applicants are employed, and that employees are treated during employment, without regard to their race, color, religion, sex, or national origin. Such action shall include, but not be limited to the following: employment, upgrading, demotion, or transfer; recruitment or recruitment advertising; layoff or termination; rates of pay or other forms of compensation; and selection for training, including apprenticeship. The contractor agrees to post in conspicuous places, available to employees and applicants for employment, notices to be provided by the contracting officer setting forth the provisions of this nondiscrimination clause.

2)The contractor will, in all solicitations or advertisements for employees placed by or on behalf of the contractor, state that all qualified applicants will receive consideration for employment without regard to race, color, religion, sex, or national origin.

3)The contractor will send to each labor union or representative of workers with which he has a collective bargaining agreement or other contract or understanding, a notice, to be provided by the agency contracting officer, advising the labor union or workers' representative of the contractor's commitments under Section 202 of the Executive Order No. 11246 of September 24, 1965, and shall post copies of the notice in conspicuous places available to employees and applicants for employment.

4)The contractor will comply with all provisions of Executive Order No. 11246 of September 24, 1965, and of the rules, regulations, and relevant orders of the Secretary of Labor.

5)The contractor will furnish all information and reports required by Executive Order No. 11246 of September 24, 1965, and by the rules, regulations, and orders of the Secretary of Labor, or pursuant thereto, and will permit access to his books, records, and accounts by the contracting agency and the Secretary of Labor for purposes of investigation to ascertain compliance with such rules, regulations, and orders.

6)In the event of the contractor's non-compliance with the nondiscrimination clause of this contract or with any of such rules, regulations, or orders, this contract may be canceled, terminated or suspended in whole or in part and the contractor may be declared ineligible for further Government contracts in accordance with procedures authorized in Executive Order No. 11246 of September 24, 1965, and such other sanctions may be imposed and remedies invoked as provided in Executive Order No. 11246 of September 24, 1965, or by rule, regulation, or order of the Secretary of Labor, or as otherwise provided by law.

7)The contractor will include the provisions of Paragraphs (1) through (7) in every subcontract or purchase order unless exempted by rules, regulations, or orders of the Secretary of Labor issued pursuant to Section 204 of Executive Order No. 11246 of September 24, 1965, so that such provisions will be binding upon each subcontractor or vendor. The contractor will take such action with respect to any subcontract or purchase order as the contracting agency may direct as a means of enforcing such provisions including sanctions for noncompliance: Provided, however, that in the event the contractor becomes involved in, or is threatened with, litigation with a subcontractor or vendor as a result of such direction by the contracting agency, the contractor may request the United States to enter into such litigation to protect the interests of the United States.

ALL CONTRACTS IN EXCESS OF $100,000

In addition to the preceding provisions, contracts in excess of $100,000 shall require compliance with the following laws and regulations:

Section 306 of the Clean Air Acts (42 U.S.C. 1857(h)).

Section 508 of the Clean Water Act (33 U.S.C. 1368).

Executive Order 11738.

EPA Regulations - 40 CFR, Part 15.

Clean Air and Water Acts - required clauses:

This clause is required in all third party contracts involving projects subject to the Clean Air Act (42 U.S.C. 1857 et seq.), the Federal Water Pollution Control Act (33 U.S.C. 1251 et seq.), and the regulations of the Environmental Protection Agency with respect to 40 CFR Part 15, as amended. It should also be mentioned in the bid document.

During the performance of this contract, the CONTRACTOR agrees as follows:

1)The CONTRACTOR will certify that any facility to be utilized in the performance of any nonexempt contract or subcontract is not listed on the Excluded Party Listing System pursuant to 40 CFR 32.

2)The CONTRACTOR agrees to comply with all the requirements of Section 114 of the Clean Air Act, as amended, (42 U.S.C. 1857c-8) and Section 308 of the Federal Water Pollution Control Act, as amended (33 U.S.C. 1318) relating to inspection, monitoring, entry, reports, and information, as well as all other requirements specified in said Section 114 and Section 308, and all regulations and guidelines issued thereunder.

3)The CONTRACTOR agrees that as a condition for the award of the contract, prompt notice will be given of any notification received from the Director, Office of Federal Activities, Environmental Protection Agency, indicating that a facility utilized or to be utilized for the contract is under consideration to be listed on the Excluded Party Listing System.

4)The CONTRACTOR agrees that it will include or cause to be included the criteria and requirements in Paragraph (1) through (4) of this section in every nonexempt subcontract and require every subcontractor to take such action as the Government may direct as a means of enforcing such provisions.

ALL CONSTRUCTION CONTRACTS IN EXCESS OF $2,000

In addition to the preceding provisions, all construction contracts in excess of $2,000 must include the Federal Labor Standards Provisions (verbatim) found in Appendix 2 under Required Contract Provisions. (Housing rehabilitation contracts of less than 8 units are excluded from this requirement.)

☒ 0
(Required: Check all that apply)

Supplier Information

Company Name: Chrysalis Research & Consulting LL

Contact Name: Jason Wright

Address: 1201 West Peach Tree Street NW Atlanta, GA 30309 Suite 2300

Phone: 404-640-4156

Fax:

Email: Jason@thechrysalisconsultants.com

Supplier Notes

By submitting your response, you certify that you are authorized to represent and bind your company.

Jason Wright
Print Name

Signature

RESOLUTION NO. 22-316

A RESOLUTION AUTHORIZING THE MAYOR TO ACCEPT AND EXECUTE A CONTRACT WITH CIVITAS, LLC FOR PROFESSIONAL CONSULTANT SERVICES TO DEVELOP A HOUSING PLAN AND AN UPDATE TO THE CONSOLIDATED PLAN, ACTION PLAN, AND AFFIRMATIVELY FURTHERING FAIR HOUSING FOR THE CITY OF COUNCIL BLUFFS.

WHEREAS, the City is an entitlement community and therefore is qualified to receive financial assistance from the U.S. Department of Housing and Urban Development (HUD) on an annual basis; and

WHEREAS, the City qualifies for Federal entitlement funding made available through the Community Development Block Grant (CDBG) and HOME Investment Partnership (HOME) Programs; and

WHEREAS, for the City to remain eligible for this funding, the City is required to submit a HUD mandated Consolidated Plan. The Consolidated Plan requires the City to identify its housing and community development needs, come up with strategies for meeting those needs and prioritizing those needs. The Consolidated Plan includes a Five-Year Strategy and Annual Action Plans for each program year in the five-year strategy; and

WHEREAS, Title VIII of the Civil Rights Act of 1968, known as the Fair Housing Act, requires HUD and recipients of federal funds from HUD to affirmatively further the policies and purposes of the Fair Housing Act, also known as "affirmatively further fair housing" or "AFFH."; and

WHEREAS, in order to select a consultant to develop a Housing Plan and an update to the Consolidated Plan, Action Plan, and Affirmatively Furthering Fair Housing, staff completed a Request for Proposal (RFP) process; and

WHEREAS, the Request for Proposals Response will assist the City in developing a housing plan and an update to the Consolidated Plan, Action Plan, and Affirmatively Furthering Fair Housing for the City of Council Bluffs; and

WHEREAS, the Community Development Department recommends that the City authorize the Mayor to accept and execute a contract with Civitas, LLC for professional consultant services to develop a Housing Plan and an update to the Consolidated Plan, Action Plan, and Affirmatively Furthering Fair Housing for the City.

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

That the Mayor is hereby authorized to accept and to execute a contract with Civitas, LLC in response to a Request for Proposals for consultant services developing a housing plan and an update to the Consolidated Plan, Action Plan, and Affirmatively Furthering Fair Housing for the City of Council Bluffs.

ADOPTED AND APPROVED: November 28, 2022

_____
Matthew J. Walsh Mayor

ATTEST: _____
Jodi Quakenbush City Clerk

Council Communication

Department: Parks and Recreation
Case/Project No.: MANAWA CITY PARK PLAYGROUND UPGRADE, PROJECT R23-11, AWARD CONTRACT
Submitted by: Vincent M Martorello

Resolution 22-317
ITEM 7.G.

Council Action: 11/28/2022

Description

Resolution to award contract to Dostals Construction Co Inc for the Manawa City Park Playground Upgrade, Project R23-11

Background/Discussion

The Council approved $405,000 in funding for the Manawa City Park Playground Upgrade within the FY23 CIP. A public hearing was held on October 10, 2022 and the bid was issued on October 17, 2022. The bid closed on November 10, 2022 and the City received one bid from Dostals Construction Co, Inc. in the amount of $453,000.

On September 1, 2022, the City received the Opinion of Probable Cost (OPC) from the consultant and it was $453,149.55, which exceeds the available budget for construction by $78,949. The scope of the project was reworked and several items were omitted from the bid including a stand-alone ADA spinning/motion element, the skate board obstacle element, and the shelter. An updated OPC was received by the City on September 29, 2022, less those elements, and it was $373,013.55, which was within the budget available for construction.

Even with the reduction in scope, the bid exceeds the available funding for construction by $78, 800. Since the amount of what was omitted ($78,949) and the current amount the project is in deficit ($78,800) are so close, we reviewed the plans and reached out to the contractor to confirm the play elements omitted from the project were not inadvertently included in the submitted bid. There is one item included in the bid that was omitted and it is the installation of the stand-alone ADA spinning/motion element. The cost for this installation is $5,000 - $6,000 and will be deducted from the overall cost of $453,000. Thus the adjusted construction cost is $448,000 - $447,000, leaving a deficit of $72,800 - $73,800. During the conversation with the contractor, it was revealed the deficit amount is primarily due to increase cost of concrete, fencing, gravel, and tree removal.

There is an option to fund the deficit using other available bond dollars. Peterson Park Playground upgrade was issued at the same time as Manawa City Park Playground Upgrade. The City received one bid for this project from Dostal Construction Co, Inc. in the amount of $225,000. The City has $318,600 available for construction. The difference between what is available for the Peterson Park Playground upgrade construction and the bid amount is $93,000.

The Parks and Recreation Department would like to use the surplus of $93,000 from the Peterson Park Playground Upgrade to cover the deficit of $$72,800 - $73,800 for the Manawa City Park Playground Upgrade. The Finance Department has verified that both projects were listed under ECP, Essential Corporate Purpose, for FY23 GO Bonds. Therefore, funds can be utilized between the projects.

If awarded, the anticipated construction date is fall 2023.

Recommendation

Approve resolution to authorize, empower and direct the Mayor and City Clerk to execute a contract in the amount of $453,000 for the Manawa City Park Playground Upgrade, Project R23-11 with Dostals Construction Co, Inc.

ATTACHMENTS:

Description	Type	Upload Date
Resolution 22-317	Resolution	11/23/2022

R E S O L U T I O N
NO 22-317

RESOLUTION AUTHORIZING THE MAYOR AND CITY CLERK TO ENTER INTO AN AGREEMENT AND AWARD A CONTRACT IN THE AMOUNT OF $453,000 TO DOSTALS CONSTRUCTION CO, INC FOR THE MANAWA CITY PLAYGROUND UPGRADE, PROJECT R23-11

WHEREAS, the Council approved the Manawa City Park Playground Upgrade as an FY 23 Capital Improvement Project with a budget of $405,000; and

WHEREAS, the playground upgrade will include a new playstructure, safety surface, individual play elements, basketball court, walking paths, fencing, and a sensory garden; and

WHEREAS, the City Council held a public hearing on October 10, 2022 and the bid was issued on October 17, 2022; and

WHEREAS, the bid closed on November 10, 2022 and the City received one bid from Dostals Construction Co, Inc. in the amount of $453,000.

WHEREAS, the contractor inadvertently included in the bid an item that was omitted from the project, which has an estimated cost of $5,000 - $6,000 and will be deducted from the project once the contract is initiated; and

WHEREAS, the adjusted construction cost will be $447-$448,000 and exceeds the available funding for construction by $72,800 - $73,800; and

WHEREAS, the Peterson Park Playground upgrade has a projected surplus of $93,000 and those bonds may be used towards Manawa City Park Playground Upgrade because the bonds for both projects are listed under ECP, Essential Corporate Purpose, for FY23 GO Bonds.

WHEREAS, the Parks and Recreation Department has requested the surplus from the Peterson Park Playground Upgrade project be allocated towards the Manawa City Park Playground Upgrade project; 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 COUNCILOF THE
CITY OF COUNCIL BLUFFS, IOWA

That the Mayor and City Clerk are hereby authorized, empowered and directed to execute a contract in the amount of $453,000 for the Manawa City Park Playground Upgrade, Project R23-11 with Dostals Construction Co, Inc.

ADOPTED
AND
APPROVED November28, 2022

Matthew J. Walsh, Mayor

ATTEST:

Jodi Quakenbush, City Clerk

Council Communication

Department: Parks and Recreation
Case/Project No.: PETERSON PARK PLAYGROUND UPGRADE, PROJECT R23-10, AWARD CONTRACT
Submitted by: Vincent M Martorello

Resolution 22-318
ITEM 7.H.

Council Action: 11/28/2022

Description

Resolution to award contract in the amount of $225,000 to Dostals Construction Co Inc for the Peterson park Playground, Project R23-10

Background/Discussion

The Council approved $345,000 in funding for the Peterson Park Playground Upgrade within the FY23 CIP. A public hearing was held on October 10, 2022 and the bid was issued on October 17, 2022. The bid closed on November 10, 2022 and the City received one bid from Dostals Construction Co, Inc. in the amount of $225,000. The available funding for construction is $318,600. Based on the bid the project is projected to have a surplus of $93,000.

The Manawa City Park Playground Upgrade Council Communication describes how the bid for that project is $453,000, which exceeds the budget for construction by $72,800 - $73,800. As a reminder, on September 1, 2022, the City received the Opinion of Probable Cost (OPC) for Manawa City project from the consultant and it was $453,149.55. This amount exceeds the available budget for construction by $78,949. Before the bid was issued, the scope of the project was reworked and several items were omitted from the bid including a stand-alone ADA spinning/motion element, the skate board obstacle element, and the shelter. An updated OPC was received by the City on September 29, 2022, less those elements, and it was $373,013.55, which was within the budget available for construction.

Even with the reduction in scope, the Manawa City project bid exceeds the available funding for construction by $78, 800. Since the amount of what was omitted ($78,949) and the current amount the project is in deficit ($78,800) are so close, we reviewed the plans and reached out to the contractor to confirm the play elements omitted from the project were not inadvertently included in the submitted bid. There is one item included in the bid that was omitted and it is the installation of the stand-alone ADA spinning/motion element. The cost for this installation is $5,000 - $6,000 and will be deducted from the overall cost of $453,000. Thus, the adjusted project cost is $448,000 - $447,000, leaving a deficit of $72,800 - $73,800. During the conversation with the contractor, it was revealed the deficit amount is primarily due to an increase cost of concrete, fencing, gravel, and tree removal.

There is an option to fund the deficit using other available bond dollars. The Parks and Recreation Department would like to use the surplus of $93,000 from the Peterson Park Playground Upgrade to cover the deficit of $$72,800 - $73,800 for the Manawa City Park Playground Upgrade. The Finance Department has verified that both projects were listed under ECP, Essential Corporate Purpose, for FY23 GO Bonds. Therefore, funds can be utilized between the projects.

Even with the reduction in bond funding for the Peterson Project, the bid amount is still within the reduced amount available for construction. If awarded, the anticipated construction date is fall 2023.

Recommendation

Approve resolution to authorize, empower and direct the Mayor and City Clerk to execute a contract in the amount of $225,000 for the Peterson Park Playground Upgrade, Project R23-10 with Dostals Construction Co, Inc.

ATTACHMENTS:

Description	Type	Upload Date
Resolution 22-318	Resolution	11/23/2022

R E S O L U T I O N
NO 22-318

RESOLUTION AUTHORIZING THE MAYOR AND CITY CLERK TO ENTER INTO AN AGREEMENT AND AWARD A CONTRACT IN THE AMOUNT OF $225,000 TO DOSTALS CONSTRUCTION CO, INC FOR THE PETERSON PARK PLAYGROUND UPGRADE, PROJECT R23-10

WHEREAS, the Council approved the Peterson Park Playground Upgrade as an FY 23 Capital Improvement Project with a budget of $345,000; and

WHEREAS, the playground upgrade will include a new play structure, safety play surface, and a small plaza; and

WHEREAS, the City Council held a public hearing on October 10, 2022 and the bid was issued on October 17, 2022; and

WHEREAS, the bid closed on November 10, 2022 and the City received one bid from Dostals Construction Co, Inc. in the amount of $225,000; and.

WHEREAS, the Peterson Park Playground upgrade has a projected surplus of $93,000; and

WHEREAS, the construction cost of the Manawa City Park Playground exceeds the available funding for construction by $72,800 - $73,800; and

WHEREAS, the bonds for both projects are listed under ECP, Essential Corporate Purpose, for FY23 GO Bonds and the bonds for Peterson Park Playground may be used for the Manawa City Park Playground; and

WHEREAS, the Parks and Recreation Department has requested the surplus from the Peterson Park Playground Upgrade project be allocated towards the Manawa City Park Playground Upgrade project; 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 COUNCILOF THECITY OF COUNCIL BLUFFS, IOWA

That the Mayor and City Clerk are hereby authorized, empowered and directed to execute a contract in the amount of $225,000 for the Peterson Park Playground Upgrade, Project R23-10 with Dostals Construction Co, Inc.

ADOPTED
AND
APPROVED November 28, 2022

_____
Matthew J. Walsh, Mayor

ATTEST: _____
Jodi Quakenbush, City Clerk

Council Communication

Department: Parks and Recreation
Case/Project No.: YANKEE STADIUM REPLICA FIELD AT BAHNSEN PARK, AWARD CONTRACT
Submitted by: Vincent M Martorello

Resolution 22-319
ITEM 7.I.

Council Action: 11/28/2022

Description

Resolution to award design and engineering contract in the amount of $98,500 to HGM Associates, Inc for the design and engineering of the Yankee Stadium Replica Field, Project R23-05 at Bahnsen Park.

Background/Discussion

The City Council approved the funding of the Yankee Stadium Replica Field at Bahnsen Park, Project R23-05 for $300,000 in the FY 23 CIP. The scope of the design is to complete a scaled representation of the the baseball field at Yankee Stadium and certain improvements to represent the architecture of the stadium. The goal is not to create a scaled representation of the entire stadium (e.g., stadium seating, box seats, building facade, etc.). The replica will be a scaled version of the stadium field and allow for youth sports leagues to compete on the field.

Staff will present the design to Council during a Council Study Session once it is completed.

Recommendation

Approve the resolution to authorize, empower and direct the Mayor and City Clerk to execute a contract in the amount of $98,500 for the Yankee Stadium replica field at Bahnsen Park, Project R23-05 to HGM Associates, Inc.

ATTACHMENTS:

Description	Type	Upload Date
Resolution 22-319	Resolution	11/23/2022

R E S O L U T I O N
NO 22-319

RESOLUTION AUTHORIZING THE MAYOR AND CITY CLERK TO ENTER INTO AN AGREEMENT AND AWARD A CONTRACT IN THE AMOUNT OF $98,500 TO HGM ASSOCIATES INC FOR THE DESGIN DESIGN AND ENGINEERING OF THE YANKEE STADIUM REPLICA FIELD AT BAHNSEN PARK, PROJECT R23-05

WHEREAS, the Council approved the Yankee Stadium replica field at Bahnsen Park as an FY 23 Capital Improvement Project with a budget of $300,000; and

WHEREAS, the replica field will be a scaled replica of the playing field, outfield dimensions, and homerun fence; and

WHEREAS, the design will include certain noted architectural features of Yankee Stadium, although the project is not to design a full and ultimate scaled version of the entire Yankee Stadium appearance, and

WHEREAS, HGM Associates Inc, has previously completed schematic design layout to provide the Council with a visual representation and understanding of the project; and

WHEREAS, the City has received a proposal for the design and engineering in the amount of 98,500 for the design and engineering of the replica Yankee Stadium; and

WHEREAS, per the City's purchasing policy, approval is required by the City Council for contracts greater than $75,000; 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 COUNCILOF THECITY OF COUNCIL BLUFFS, IOWA

That the Mayor and City Clerk are hereby authorized, empowered and directed to execute a contract in the amount of $98,500 for the Yankee Stadium replica field at Bahnsen Park, Project R23-05 to HGM Associates, Inc.

ADOPTED
AND
APPROVED November 28, 2022

_____
Matthew J. Walsh, Mayor

ATTEST: _____
Jodi Quakenbush, City Clerk

Council Communication

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

Liquor Licenses
ITEM 8.A.

Council Action: 11/28/2022

Description

1. Hy-Vee #2, 1745 Madison Avenue

Background/Discussion

There are no alcohol related incidents/arrests this licensing period at Hy-Vee #2.

Recommendation

ATTACHMENTS:

Description	Type	Upload Date
Liquor Licenses, 11.28.22	Other	11/22/2022

Hy-Vee #2- LE0001063
Premise Street : 1745 Madison Ave

Application Number : App-170795

Class E Retail Alcohol License

Application Type	Tentative Effective Date	Tentative Expiration Date	Application Status
Renewal	2023-01-09	2024-01-08	Submitted to Local Authority

License Length	Local Authority	Dramshop	Corporation Name
12 Month	City of Council Bluffs		Hy-Vee, Inc.

☒ RENEWAL ☐ NEW ☐ SPECIAL EVENT

POLICE cm Local Amt

FIRE AF Endorsed

BUILDING JS Issued

ZONING Expires

Council 11.28.22