

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

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

2. ROLL CALL

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

3. ADOPTION OF AGENDA

Brown stated the legal description for Item 7.D was modified to remove property owned by the Valley View Congregation of Jehovah's Witnesses, located at 2601 South 10th Street, from the proposed Petersen School Urban Revitalization Area. Brown then clarified that Valley View Congregation of Jehovah's Witnesses requested their property be removed from the proposed urban revitalization area after the Planning Commission's meeting notice was published in the Nonpareil newspaper.

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

4. APPROVAL – MINUTES OF FEBRUARY 13, 2018 MEETING

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

5. PROOF OF PUBLICATION – Brown

6. REVIEW OF MEETING PROCEDURES – DeMasi

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

A. CASE #ZC-18-004: Public hearing on the request of HCC Investments, LLC to rezone a portion of the SW¹/₄ SE¹/₄, a portion of the NE¹/₄ SE¹/₄ and a portion of the SE¹/₄ of the SE¹/₄ of Section 34-75-43, City of Council Bluffs, Pottawattamie County, Iowa, from a R-3/Low-Density Multifamily Residential and C-1 Commercial District to R-1/Single Family Residential District. Location: Generally north of Ohm and Ardmore Streets.

Rew abstained from the request.

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

Terry Morrison, 19402 Ruggles Circle, Omaha, NE 68022 spoke on behalf of the applicant and stated he is available to answer any questions from the Commission about the proposed request.

The following members of the public asked general questions about the request:

Robert and Kathy Gutshall, 5402 Taggart Circle, Council Bluffs, IA 51503 asked questions about the Steven's Road extension that will be located directly north of their property. Gutshall then stated they are not opposed to the proposed rezoning.

No one spoke in opposition of the request.

Brown stated the applicant has requested to rezone the subject property from R-3/Low-Density Multifamily Residential and C-1 Commercial District to R-1/Single Family Residential District in order to develop a new phase of residential dwellings in the Hills of Cedar Creek. Brown then clarified the preliminary plan for the new Hills of Cedar Creek Subdivision phase will address the alignment of Steven's Road abutting property at 5402 Taggart Circle.

Motion by VanHouten, second by Holm to recommend approval to rezone property legally described as a portion of the Southwest Quarter of the Southeast Quarter, a portion of the Northeast Quarter of the Southeast Quarter, and a portion of the Southeast Quarter of the Southeast Quarter, Section 34, Township 75 North, Range 43 West, Pottawattamie County, Iowa from a combination of R-3/Low-Density Multifamily Residential and C-1/Commercial District to R-1/Single Family Residential District., as per staff's recommendation.

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

- B. CASE #SUB-18-003: Public hearing on the request from Tweedt Engineering & Construction, Inc. for preliminary subdivision plan approval of Forest Glen Subdivision, Phase VI, legally described as being a replat of Outlot 1, Forest Glen Subdivision, Phase V, and a portion of the SW¹/₄ SE¹/₄ of Section 33-75-43, City of Council Bluffs, Pottawattamie County, Iowa. The applicant is also requesting a five-foot front yard setback variance to allow dwellings on Lots 210-212 to be built 20 feet from a front property line as opposed to the required 25 feet in an R-/Single Family Residential District. Location: Northerly extension of Misty Lane and Chestnut Drive.

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

Douglas Tweedt, 4030 Greenview Road, Council Bluffs, IA 51503 spoke on behalf of the request. Tweedt stated he has no objections to the information stated in the case staff report and will continue to work with City staff to address comments regarding sewer manholes and sidewalks within the proposed subdivision. Tweedt then responded to questions about site grading in the proposed subdivision from the Commission.

No one spoke in opposition of the request.

Motion by DeMasi, second by Rew to recommend approval of the preliminary plan for a subdivision to be known as Forest Glen Subdivision, Phase VI, as shown in Attachment 'B' and granting a variance from §15.08B.050, *Site development regulations, R-1/Single-Family Residential District*, of the Council Bluffs Zoning Ordinance to allow each dwelling on Lots 210 through 212 to be constructed 20 feet from a front property line as opposed to the 25 feet required in an R-1/Single-Family Residential District, subject to compliance with all above stated comments and the following conditions:

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

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

3. An erosion and sediment control along with a grading plan shall be submitted with the construction plans. The erosion and sediment control plan will include temporary and permanent vegetative cover, structural measures, phasing and a maintenance and inspection program to address removal of sediment during construction and following any rainfall.
4. All utilities shall be installed underground.
5. Sidewalks shall be installed along the street frontage of each lot at no expense to the City, prior to issuance of a certificate of occupancy for each house. A sidewalk shall also be installed along the frontage of proposed Outlot A and Outlot D as part of the street construction of Chestnut Drive and Misty Lane. All sidewalks installation shall comply with the most recent ADA standards for accessibility.
6. The applicant shall provide the City a copy of each deed that conveys Outlots A through D to an adjoining property owner with the final plat.

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

- C. CASE #URV-18-001: Public hearing on the request of the City of Council Bluffs to create the Council Pointe Road Urban Revitalization Area and adopt the required plan for property legally described as Lot 1, Fox Run Landing, Replat Three, City of Council Bluffs, Pottawattamie County, Iowa. Location: Lying West of the Intersection of Veteran's Memorial Highway (US 275/92) and Council Pointe Road.

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

John Jerkovich, 535 West Broadway, Suite 100, Council Bluffs, IA 51503 appeared on behalf of the applicant and stated he is available to answer any questions about the proposed request.

No one spoke in opposition of the request.

Brown stated the applicant has proposed to develop a new senior living facility on the subject property. Brown then clarified that an urban revitalization area allows eligible development projects to receive tax abatement in accordance with State laws.

Motion by Rew, second by Milford to recommend approval of the Council Pointe Road Urban Revitalization Plan and Area and 1st consideration of the ordinance.

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

- D. CASE #URV-18-002: Public hearing on the request of the City of Council Bluffs to create the Petersen School Urban Revitalization Area and adopt the required plan for property legally described as ~~Lots 1-10 and vacated North/South Alley Adjacent~~, Lots 13-22 and vacated North/South Alley Adjacent, and Lots 11, 12, 23, and 24, Block 19, Bayliss 3rd Addition, City of Council Bluffs, Pottawattamie County, Iowa. Location: 2600 South 9th Street and 2601 South 10th Street.

No one spoke in favor or opposition of the request.

Brown stated the applicant has proposed to reuse the former Petersen School building on the subject property for the EQ School of Hair Design. Brown then clarified the Valley View Congregation of Jehovah's Witnesses at 2601 South 10th Street requested their property be removed from the proposed Petersen School Urban Revitalization Area.

Motion by DeMasi, second by VanHouten to recommend approval of the Peterson School Urban Revitalization Plan and Area, and 1st consideration of the ordinance.

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

- E. CASE #URV-18-003: Public hearing on the request of the City of Council Bluffs to create the South Fourth Street Urban Revitalization Area and adopt the required plan for property legally described as Original Plat Lot 5 and Lot 7, Auditor's Sub of James Subdivision of Original Plat Lot 177; and Lots 3 through 5, Original Plat Lot 178; and Lots 3-4, Original Plat Lot 179; and Lot 2, Original Plat Lot 180; and Lot 7, except the South 14 feet of Lot 7, Original Plat Lot 181; along with Lots 3 through 8, Keller's Subdivision of Original Plat Lot 175; and Lots 1 and 2, Original Plat Lot 231; and the northerly 100 feet of Lots 1 through 3, Original Plat Lot 232; and Lot 16, Block 2, Jackson's Addition; along with the vacated alley adjacent lying north of the south line of the north 30 feet of Lot 16, Block 2, Jackson's Addition; along with Lots 13-15, Block 2, Jackson's Addition; and including the South 4th Street right-of-way lying north of the north property line of Lot 12, Block 2, Jackson's Addition as extended and south of the north property line of Lot 3, Keller's Subdivision of Original Plat Lot 175 as extended. Location: 7 South 4th Street and adjacent properties.

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

Leo McIntosh, 215 Happy Hollow Circle, Council Bluffs, IA 51503 stated he use to manage the former YMCA on the subject property and that The Hub project is an extension of the revitalization occurring in the 100 and 200 Blocks of West Broadway.

Brooke Hubbard, 21254 McPherson Avenue, Council Bluffs, IA 51503 stated she is an investor for The Hub project. Hubbard then explained the wide variety of indoor recreational uses that The Hub will offer and state she greatly appreciates all of the community support for the proposed project. Hubbard then answered questions about off-street parking for The Hub project from the Commission.

Motion by VanHouten, second by Hutcheson to recommend approval of the South Fourth Street Urban Revitalization Plan and Area, and 1st consideration of the ordinance.

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

- 8. OTHER BUSINESS** (*Refer to the taped recording of these proceedings for the official verbatim minutes*)
- A. Appointment of Nominating Committee – DeMasi opened the floor for volunteers to serve on the nomination committee that will recommend the next Chair and Vice-Chair for the City Planning Commission. Commissioners DeMasi, Danielsen, Holm, and Rew volunteered to serve on the nominating committee.
 - B. City Council update – Wade provided an update of City Council actions relative to recent planning cases.
 - C. Other items of interest – Brown stated the Iowa State University extension office is offering an introduction to planning and zoning workshop and that the City will pay the registration fee for any member of the Planning Commission and/or Zoning Board of Adjustment who want to attend. Brown then stated the workshop focuses on the role of the Planning Commission and Zoning Board of Adjustment and applicable state laws.
- 9. ADJOURNMENT** – DeMasi adjourned the meeting at 6:34 P.M.

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