

INST # 1171
RECORDING FEE 155.⁰⁰
AUDITOR FEE —
RMA FEE 1.⁰⁰

COMPARED

30 Record

Council Member Walsh introduced the following Resolution entitled "RESOLUTION DETERMINING AN AREA OF THE CITY TO BE A BLIGHTED AREA, AND THAT THE REHABILITATION, CONSERVATION, REDEVELOPMENT, DEVELOPMENT, OR A COMBINATION THEREOF, OF SUCH AREA IS NECESSARY IN THE INTEREST OF THE PUBLIC HEALTH, SAFETY OR WELFARE OF THE RESIDENTS OF THE CITY; DESIGNATING SUCH AREA AS APPROPRIATE FOR AN URBAN RENEWAL PROJECT; AND ADOPTING THE PLAYLAND PARK URBAN RENEWAL PLAN THEREFOR" and moved that the same be adopted.

Council Member Parick seconded the motion to adopt. The roll was called and the vote was:

AYES: Parick, Preimes, Walsh

NAYS: Belt, Tobias

FILED FOR RECORD
OTTAWA COUNTY, IOWA
03 JUL 16 AM 8:52
JOHN SCIORRINO
RECORDER

Whereupon, the Mayor declared the Resolution duly adopted as follows:

RESOLUTION NO. 03 - 138

RESOLUTION DETERMINING AN AREA OF THE CITY TO BE A BLIGHTED AREA, AND THAT THE REHABILITATION, CONSERVATION, REDEVELOPMENT, DEVELOPMENT, OR A COMBINATION THEREFOR, OF SUCH AREA IS NECESSARY IN THE INTEREST OF THE PUBLIC HEALTH, SAFETY, OR WELFARE OF THE RESIDENTS OF THE CITY; DESIGNATING SUCH AREA AS APPROPRIATE FOR AN URBAN RENEWAL PROJECT; AND ADOPTING THE PLAYLAND PARK URBAN RENEWAL PLAN THEREFOR.

WHEREAS, this Council has reasonable cause to believe that the area described below satisfies the eligibility criteria for designation as an urban renewal area under Iowa law; and

WHEREAS, a proposed Playland Park Urban Renewal Plan for the area described below has been prepared, which proposed Plan is on file in the office of the City Clerk and that is incorporated herein by reference; and

WHEREAS, this proposed Urban Renewal Area includes and consists of:

Lots 174 through 185 in Twin City Gardens an addition to Council Bluffs, Iowa, part of Government Lot 3 and accretions thereto in the SW ¼ SW ¼ of Section 28 and in the SE ¼ SE ¼ of Section 29 and part of Government Lot 1 and accretions thereto in the NE ¼ NE ¼ of Section 32 and in the NW ¼ NW ¼ and, NE ¼ NW ¼ of Section 33, all in Township 75 North Range 44 West of the 5th Principal Meridian, City of Council Bluffs, Pottawattamie County, Iowa more particularly described as follows:

Begin at the intersection of the West right-of-way line of North 40th Street with the centerline of Avenue B; thence West along the centerline of Avenue B approximately 2,500 feet to the Bulkhead line of the left (Easterly) shoreline of the Missouri River; thence Southerly along said line approximately 1,750 feet to the Southerly right-of-way line of Interstate Route I-480 being the Northerly right-of-way line of Old West Broadway; thence Easterly and Northeasterly along said line approximately 2,000 feet to the Northerly prolongation of the Easterly right-of-way line of 41st Street; thence Southerly along said prolongation and along the Westerly line of the parcel owned by Frito Lay Inc. 298 feet more or less to the South corner of said parcel; thence Northeasterly along the Southeasterly line of Frito Lay parcel 280 feet more or less; thence Southwesterly along the Frito Lay parcel 50 feet; thence Northeasterly along the Frito Lay parcel 670 feet to the East corner of the Frito Lay parcel; and to the Southerly right-of-way line of 37th Street Extension; thence Northwesterly/Westerly, and Southwesterly along said right-of-way line 340 feet more or less to the Southerly prolongation of the West right-of-way line of North 40th Street; thence North along said prolongation and along said line 1,100 feet more or less to the centerline of Avenue B and the point of beginning. Said Urban Renewal tract contains 87.0 acres more or less.

WHEREAS, it is desirable that these areas be redeveloped as part of the overall redevelopment area covered by said proposed Urban Renewal Plan to be known hereafter as the "Playland Park Urban Renewal Plan"; and

WHEREAS, the Iowa statutes require the City Council to submit the Plan to the Planning and Zoning Commission for review and recommendation as to its conformity with the General Plan

SEAL FOR TAXATION
JUL 16 2005
COUNTY AUDITOR
William J. Drake

4E-1

for development of the City as a whole, prior to City Council approval of such urban renewal project and an urban renewal plan therefor; and

WHEREAS, creation of the Playland Park Urban Renewal Plan Area and adoption of the Playland Park Urban Renewal Plan therefore has been approved by the Planning and Zoning Commission for the City as being in conformity with the general plan for development of the City as a whole, as evidence by its written report filed herewith and incorporated herein by this reference; and

WHEREAS, by resolution No. 03-98 adopted on May 5th, 2003, this Council directed that a consultation be held with the designated representatives of all affected taxing entities to discuss the proposed Playland Park Urban Renewal Plan and the division of revenue described therein, and that notice of said consultation and a copy of the proposed Playland Park Urban Renewal Plan be sent to all affected taxing entities; and

WHEREAS, pursuant to such notice, the consultation was duly held as ordered by the City Council and all required responses to the recommendations made by the affected taxing entities, if any, have been timely made as set forth in the report of the Community Development Director, Designated Representative of the City of Council Bluffs, filed herewith and incorporated herein by this reference, which report is in all respects approved; and

WHEREAS, by said resolution this Council also set a public hearing on the adoption of the proposed Playland Park Urban Renewal Plan for this meeting of the Council, and due proper notice of said public hearing was given, as provided by law, by timely publication in the "Daily Nonpareil", which notice set forth the time and place for this hearing and the nature and purpose thereof; and

WHEREAS, in accordance with said notice, all persons or organizations desiring to be heard on said proposed Plan, both for and against, have been given an opportunity to be heard with respect thereto and due consideration has been given to all comments and views expressed to this Council in connection therewith and said public hearing has been closed.

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

Section 1. That the findings and conclusions set forth or contained in the proposed "Playland Park Urban Renewal Plan" for the area of the City of Council Bluffs, Iowa legally described and depicted in the Plan and incorporated herein by reference (which area shall hereinafter be known as the "Playland Park Urban Renewal Plan Area"), be and the same are hereby adopted and approved as the findings of this Council for this area.

Section 2. This Council further finds;

- a. A feasible method exists for the location of families who will be displaced from the Playland Park Urban Renewal Plan Area into decent, safe, and sanitary dwelling accommodations within their means and without undue hardship to such families;
- b. The Playland Park Urban Renewal Plan conforms to the general plan for the development of the City as a whole; and
- c. As to those areas of open land to be acquired by the City included within the Playland Park Urban Renewal Plan Area:
 - i. With reference to those portions thereof which are to be developed for residential uses, this City Council hereby determines that a shortage of housing of sound standards and design with decency, safety, and sanitation exists with the City; that the acquisition of the area for residential uses is an integral part of and essential to the program of the municipality; and that one or more of the following conditions exists:
 - A. That the need for housing accommodations has been or will be increased as a result of the clearance of slums in other areas, including other portions of the urban renewal area.
 - B. That conditions of blight in the municipality and the shortage of decent, safe, and sanitary housing cause or contribute to an increase in and spread of disease and crime, so as to constitute a menace to the public health, safety, morals, or welfare.

4E-1


- C. That the provision of public improvements related to housing and residential development will encourage housing and residential development which is necessary to encourage the retention or relocation of industrial and commercial enterprises in this state and its municipalities.
- D. The acquisition of the area is necessary to provide for the construction of housing for low and moderate income families.
- ii. With reference to those that are to be developed for non-residential uses, such as non-residential uses are necessary and appropriate to facilitate the proper growth and development of the City in accordance with sound planning standards and local community objectives.

Section 3. That the Playland Park Urban Renewal Plan Area is a slum or blighted area with the meaning of Iowa Code Chapter 403; that such area is eligible for designation as an urban renewal area and otherwise meets all requisites under the provisions of Chapter 403 of the Code of Iowa; and that the rehabilitation, conservation, redevelopment, development, or a combination thereof, of such area is necessary in the interest of the public health, safety, or welfare of the residents of this City.


Section 4. That the Playland Park Urban Renewal Plan, attached hereto as Exhibit A and incorporated herein by reference, be and the same is hereby approved and adopted as the "Playland Park Urban Renewal Plan for the Playland Park Urban Renewal Plan Area"; the Playland Park Urban Renewal Plan for such area is hereby in all respects approved; and the City Clerk is hereby directed to file a certified copy of said Playland Park Urban Renewal Plan with the proceedings of this meeting.

Section 5. That the Playland Park Urban Renewal Plan for the Playland Park Urban Renewal Plan Area shall be in full force and effect from the date of this resolution until the later of the termination set forth in the Playland Park Urban Renewal Plan or the date on which payment of all obligations issued or advances made to carry out the purposes thereof shall be fully provided for. Said Playland Park Urban Renewal Plan shall be forthwith certified by the City Clerk, along with a copy of this Resolution, to the Recorder for Pottawattamie County, Iowa, to be filed and recorded in the manner provided by law.

PASSED AND APPROVED this 23rd day of June, 2003


THOMAS P. NANAFAN MAYOR

ATTEST:


CHERYL PUNTENEY CITY CLERK

4E-1

PROOF OF PUBLICATION

STATE OF IOWA
POTTAWATTAMIE COUNTY

I, Amy McKay, on my oath do solemnly swear that I am the Controller of the COUNCIL BLUFFS DAILY NONPAREIL, a newspaper issued DAILY and printed in said county, COUNCIL BLUFFS, IOWA.

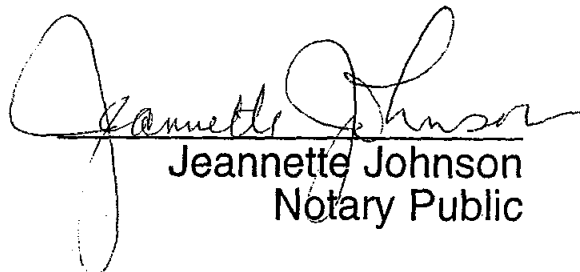
The attached notice was published in said newspaper for 1 consecutive time(s) as follows:

The first publication thereof

began on the 5 day of June, 2003
the 2nd on the _____ day of _____, 2003
the 3rd on the _____ day of _____, 2003
the 4th on the _____ day of _____, 2003
the 5th on the _____ day of _____, 2003

Signed in my presence by the said Amy McKay and by her sworn to before me this 23 day of June, A.D. 2003.


Amy McKay
Daily Nonpareil Controller


Jeannette Johnson
Notary Public

Filed this _____ day of _____, A.D. 2003
Publication Cost: \$ 37.15
Proof of Publication Fee: \$ _____



**NOTICE OF PUBLIC HEARING TO CONSIDER
APPROVAL OF A PROPOSED URBAN RENEW-
AL PLAN FOR THE PLAYLAND PARK URBAN
RENEWAL PLAN FOR A PROPOSED URBAN
RENEWAL AREA IN THE CITY OF
COUNCIL BLUFFS, IOWA**

The City Council of the City of Council Bluffs, Iowa, will hold a public hearing before itself at its meeting which commences at 7:00 o'clock P.M. on June 23rd, 2003 in the Council Chambers, City Hall, Council Bluffs, Iowa to consider adoption of the Playland Park Urban Renewal Plan (the "Plan") concerning an area in Council Bluffs, Iowa heretofore designated as the Playland Park Urban Renewal Plan Area, currently described as follows:

Lots 174 through 185 in Twin City Gardens an addition to Council Bluffs, Iowa part of Government Lot 3 and accretions thereto in the SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 28 and in the SE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 29 and part of Government Lot 1 and accretions thereto in the NE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 32 and in the NW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 33 all in Township 75 North Range 44 West of the 5th Principal Meridian City of Council Bluffs, Pottawattamie County, Iowa described as follows:

Begin at the intersection of the West right-of-way line of North 40th Street with the centerline of Avenue B; thence West along the centerline of Avenue B approximately 2,500 feet to the Bulkhead line of the left (Easterly) shoreline of the Missouri River; thence Southerly along said line approximately 1,750 feet to the Southerly right-of-way line of Interstate Route I-480 being the Northerly right-of-way line of Old West Broadway; thence Easterly and Northeasterly along said line approximately 2,000 feet to the Northerly prolongation of the Easterly right-of-way line of 41st Street, thence Southerly along said prolongation and along the Westerly line of the parcel owned by Frito Lay Inc. 298 feet more or less to the South corner of said parcel; thence Northeasterly along the Southeasterly line of Frito Lay parcel 280 feet more or less; thence Southwesterly along the Frito Lay parcel 50 feet; thence Northeasterly along the Frito Lay parcel 670 feet to the East corner of the Frito Lay parcel; and to the Southwesterly right-of-way line of 37th Street Extension; thence Northwest-erly, Westerly, and Southwesterly along said right-of-way line 340 feet more or less to the Southerly prolongation of the West right-of-way line of North 40th Street; thence North along said prolongation and along said line 1,100 feet more or less to the centerline of Avenue B and the point of beginning. Said Urban Renewal tract contains 87.0 acres more or less.

A copy of the Playland Park Urban Renewal Plan is on file for public inspection in the office of the City Clerk, City Hall, Council Bluffs, Iowa. The City of Council Bluffs, Iowa is the local public agency which, if such Plan is approved, shall undertake the urban renewal activities described in such Plan.

The general scope of the urban renewal activities under consideration in the Plan is to rehabilitate, conserve and redevelop land, buildings and other improvements within such area so as to improve the community through the establishment of effective land use controls, through use of an effective program of rehabilitation of existing buildings and elimination of those structures which cannot be economically rehabilitated, with a limited amount of acquisition, clearance, resale and improvement of land for various purposes specified in the Plan. The City also may install, construct and reconstruct streets, parking facilities, open space areas and other substantial public improvements, and may acquire and make land available for development or redevelopment by private enterprise as authorized by law. The Plan provides that the City may issue bonds or use available funds for such purposes and that tax increment reimbursement of such costs will be sought if and to the extent incurred by the City.

This Notice is given by order of the City Council of Council Bluffs, Iowa, as provided by Section 403.5 of the Code of Iowa, as amended.

Any person or organization desiring to be heard shall be afforded an opportunity to be heard at such hearing.
Dated this 5th day of June, 2003.

Cheryl Puntene, City Clerk
2003/6/5 - 1 Thursday

PLAYLAND PARK

URBAN RENEWAL PLAN



CITY OF COUNCIL BLUFFS, IOWA
JUNE 2003

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CHAPTER I

INTRODUCTION

The City of Council Bluffs has been approached by One Renaissance Center L.L.C. in order to develop a high-rise condominium and apartment community at the location of Playland Park in western Council Bluffs. One Renaissance Center L.L.C. has purchased approximately 16 acres from the City of Council Bluffs immediately adjacent to the Missouri River. These 16 acres were recently rezoned from A-2/Parks, Estates, and Agricultural District to R-4/High Density Multi-family District in order to accommodate this development.

It has been determined that the need exists for urban renewal actions in this area. These actions are necessary in order to eliminate existing blight by improving public access to accommodate riverfront development associated with this residential development and to provide appropriate utilities to the development site. Assistance in the form of an urban renewal project area, conforming to Section 403 of the Iowa Code, is necessary to acquire land; remove blighted, incompatible or undesirable land uses; improve regulatory control; improve transportation access; improve public infrastructure and facilities; develop recreational opportunities; and to allow for private development or redevelopment on cleared or vacant land. This project is to be called the Playland Park Urban Renewal Plan, and its purpose, objectives and project proposals are described within this document.

CHAPTER II

DESCRIPTION OF URBAN RENEWAL AREA

1. LEGAL DESCRIPTION

The project area is legally described as:

Lots 174 through 185 in Twin City Gardens an addition to Council Bluffs, Iowa, part of Government Lot 3 and accretions thereto in the SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 28 and in the SE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 29 and part of Government Lot 1 and accretions thereto in the NE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 32 and in the NW $\frac{1}{4}$ NW $\frac{1}{4}$ and, NE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 33, all in Township 75 North Range 44 West of the 5th Principal Meridian, City of Council Bluffs, Pottawattamie County, Iowa more particularly described as follows:

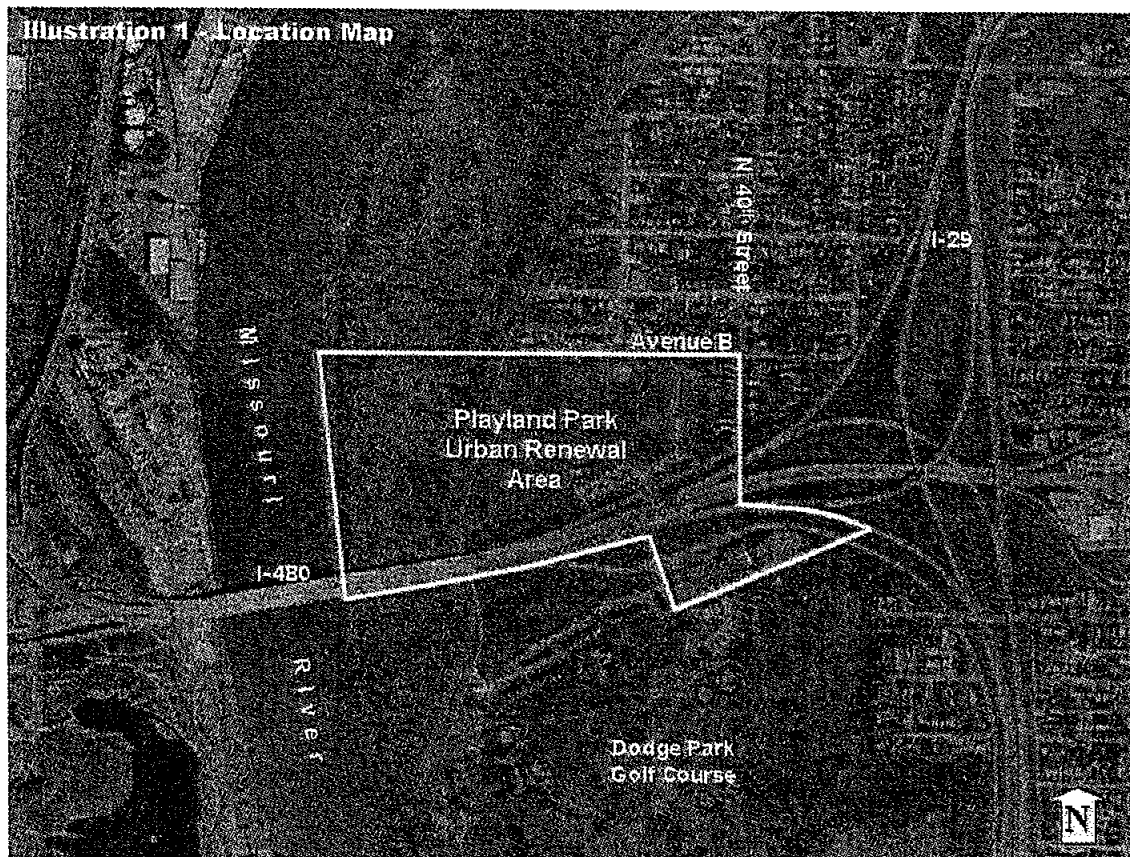
Begin at the intersection of the West right-of-way line of North 40th Street with the centerline of Avenue B; thence West along the centerline of Avenue B approximately 2,500 feet to the Bulkhead line of the left (Easterly) shoreline of the Missouri River; thence Southerly along said line approximately 1,750 feet to the Southerly right-of-way line of Interstate Route I-480 being the Northerly right-of-way line of Old West Broadway; thence Easterly and Northeasterly along said line approximately 2,000 feet to the Northerly prolongation of the Easterly right-of-way line of 41st Street; thence Southerly along said prolongation and along the Westerly line of the parcel owned by Frito Lay Inc. 298 feet more or less to the South corner of said parcel; thence Northeasterly along the Southeasterly line of Frito Lay parcel 280 feet more or less; thence Southwesterly along the Frito Lay parcel 50 feet; thence Northeasterly along the Frito Lay parcel 670 feet to the East corner of the Frito Lay parcel; and to the Southerly right-of-way line of 37th Street Extension; thence Northwesterly/Westerly, and Southwesterly along said right-of-way line 340 feet more or less to the Southerly prolongation of the West right-of-way line of North 40th Street; thence North along said prolongation and along said line 1,100 feet more or less to the centerline of Avenue B and the point of beginning. Said Urban Renewal tract contains 87.0 acres more or less.

2. PROJECT AREA DESCRIPTION

The general location and boundaries of the Playland Park Urban Renewal Project Area are shown on Illustration 1 – Location Map.

a. General Description

The area is located in western Council Bluffs immediately north of Interstate 480, south of Avenue B, west of N. 40th Street, and immediately east of the Missouri River. The project area encompasses Playland Park, Frito Lay, as well as a few residential properties along N. 40th Street. With the surrounding single family and multi-family residential presence nearby, the urban renewal area has good potential for multifamily residential use.



b. Environment

Topography and Drainage – The topography of the area is characterized by very slight slopes of zero to two percent. Because of the nearly level topography the area has a poor natural drainage pattern and little potential for soil erosion.

Floodplain - The Flood Insurance Rate Maps (FIRM) prepared by the Federal Emergency Management Agency show that the majority of the project area and the surrounding areas are located in Zone X. The portion of the project area that lies on the west side of the levee is located in the Missouri River floodway and is designated as Zone AE. The area designated as Zone X is considered to lie in the 500-year floodplain. The area designated as Zone AE is the portion of the floodplain where base flood elevations have been determined.

Soils - According to the Soil Conservation Service (SCS) Soil Survey Maps, the project area consists of two types of soil 237 – Sarpy Loamy Fine Sand and 4237 – Sarpy-Urban Land Complex. These soils have the following characteristics:

237 – Sarpy Loamy Fine Sand, 0 to 3 percent slopes. According to the SCS report, Sarpy Loamy Fine Sand is a very gently sloping, excessively drained soil that is commonly found in areas of recent deposition on bottom land. This soil type is frequently flooded on the river side of levees and rarely flooded where it is protected. Permeability is rapid and runoff is slow in the Sarpy soil.

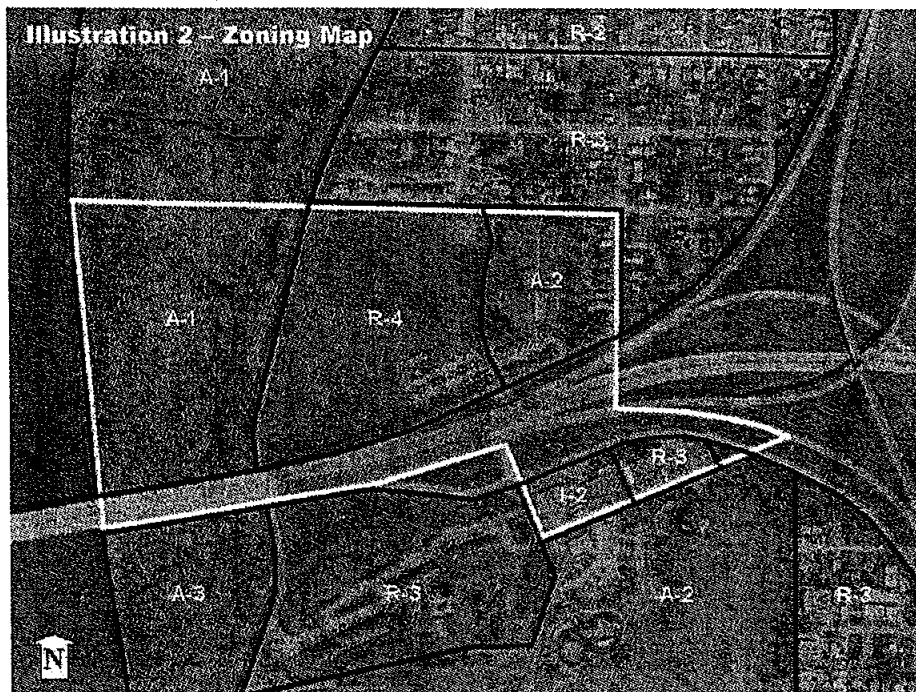
4237 – Sarpy-Urban Land Complex, 1 to 3 percent slopes. This soils complex is found in very gently sloping, excessively drained areas of bottom land in and around Council Bluffs. Areas are usually very large in size and irregularly shaped. Sarpy soils work well for various types of development and use such as parks and building sites.

The SCS report notes that these soil types have little or no limitations for development potential and are suitable for various types of development. The report also notes that due to their close proximity to the Missouri River, they tend to exhibit a high degree of flooding potential, depending upon the degree of flood protection measures installed. However, as noted earlier, the project area is protected by the Missouri River levee.

Historic Properties - A review of the list of properties on the National Register of Historic Places and available historic surveys shows no historic properties, districts, or landmarks within the proposed boundaries. Based on field surveys of existing structures, no potential historic properties were identified. No known archeological resources are present in the area.

Noise - Due to its location, noise levels are likely to be low to moderate throughout the proposed urban renewal area depending on the time of day. During peak rush hour traffic, the noise level in areas closer to Interstate 480 may be moderate due to the high volume of traffic this freeway carries. The area lies outside of Omaha's Eppeley Airfield noise corridor.

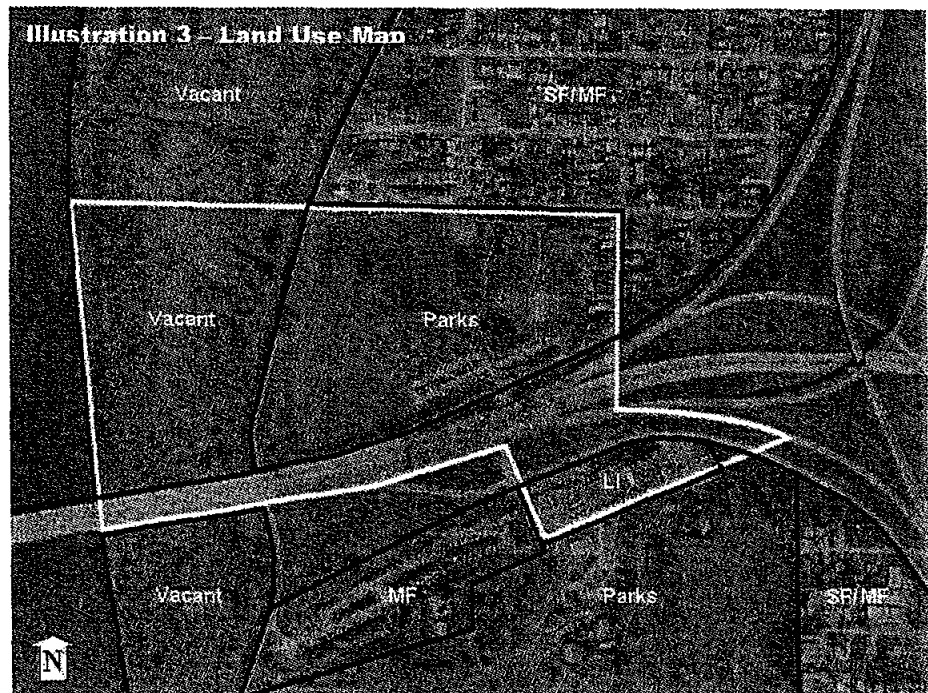
3. ZONING AND LAND USE



Existing Zoning – Currently, land within the proposed urban renewal area is zoned A-1, A-3, I-2, R-3, and R-4. The area of the R-4 classification was recently rezoned from A-2 in January to accommodate the proposed development by One Renaissance Center L.L.C. Please refer to Illustration 2 for the existing zoning classifications for the area.

Existing Land Uses –

The project area consists of a large area of vacant land that is currently Playland Park. Frito Lay is the only industrial use in the project area. The industrial operation of this facility is inconsistent with the predominantly residential character of this portion of Council Bluffs. The industrial use of Frito Lay creates a blighting influence on the surrounding residential



neighborhoods and should be relocated to one of the industrial tracts within Council Bluffs. Please refer to Illustration 3 for existing land uses for the area.

Adjacent Land Uses – The surrounding residential neighborhoods are primarily single-family in use with scattered multi-family structures throughout the area. The only large multi-family land use (River Park Apartments) is found to the south of the project area.

Non-Conformances – The project area contains one non-conforming use, Frito Lay. The eastern portion of the Frito Lay property is zoned R-3. Industrial usage is not permitted in an R-3 zone therefore the eastern portion of the Frito Lay property is non-conforming.

4. STRUCTURAL CONDITIONS

Structural Conditions – The homes located along N. 40th Street in the northeast portion of the project area range from good to below average condition. The Frito Lay facility located in the southeast portion of the project area is the only non-conforming property of concern. This industrial facility is in average condition. The "old" Dodge Park Club House and Driving Range are in poor condition, due to the recent vacancy created once the "new" Dodge Riverside Club House was opened along Harrahs Blvd.

Adjacent Structural Conditions – The River Park Apartment complex located immediately south of the project area has recently been developed and is in good condition. The structural conditions of the single-family homes north of the project area range from new construction in good condition to intermittent blighted structures in poor condition.

Riverfront Conditions – Currently there is no public access to the riverfront in the area of Playland Park. This section of the riverfront has remained undeveloped, in a semi-natural state due to the lack of access.

5. TRANSPORTATION SYSTEMS

Streets and Highways – The Interstate 29/Interstate 480-system interchange is located directly east of the project area. I-480 transitions into West Broadway at the I-29 junction with no access between West Broadway and I-29 currently provided. The 41st Street/I-480 partial interchange provides access from 41st Street to westbound I-480 and from eastbound I-480 to 41st Street. 41st extends from the westbound entrance ramp, under the interstate and terminates into the River Park apartment complex to the south of the eastbound exit ramp.

Avenue A Extension is the east leg of the I-480 westbound entrance ramp/41st Street intersection. Avenue A Extension is a two-lane collector that curves to the north and turns into 40th Street. The Avenue A Extension currently carries approximately 2,000 vehicles per day. The north leg provides access to Playland Park and will as the main entrance to the proposed development.

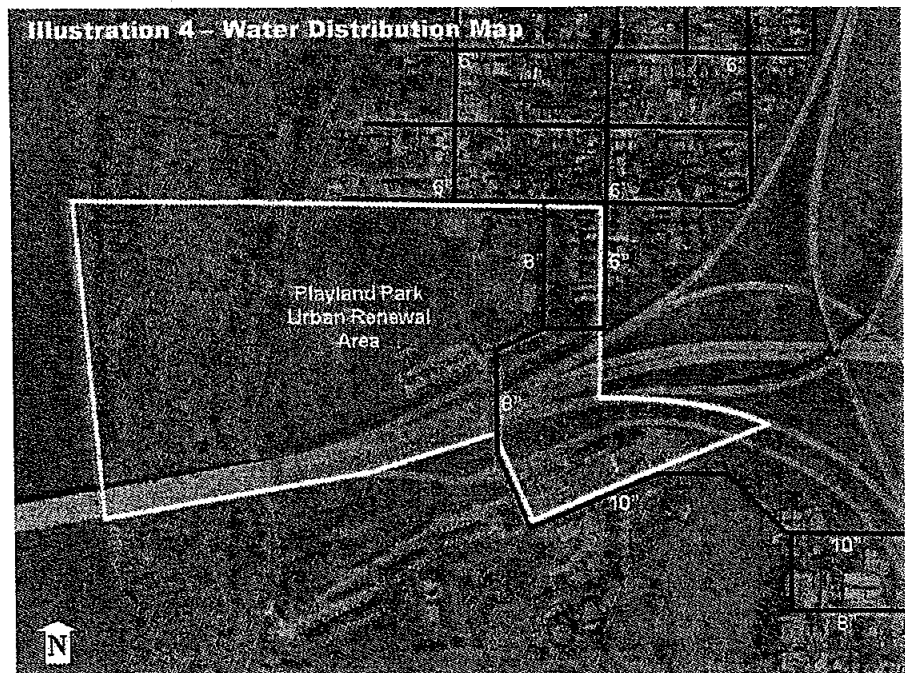
1st Avenue Extension is the east leg of the I-480 eastbound exit ramp/41st Street intersection. 1st Street extension is a two-lane collector that curves to the south and turns into 37th Street. The 1st Avenue Extension carries approximately 2,400 vehicles per day.

2nd Avenue is a two-lane minor arterial that extends under I-29 and east into Council Bluffs.

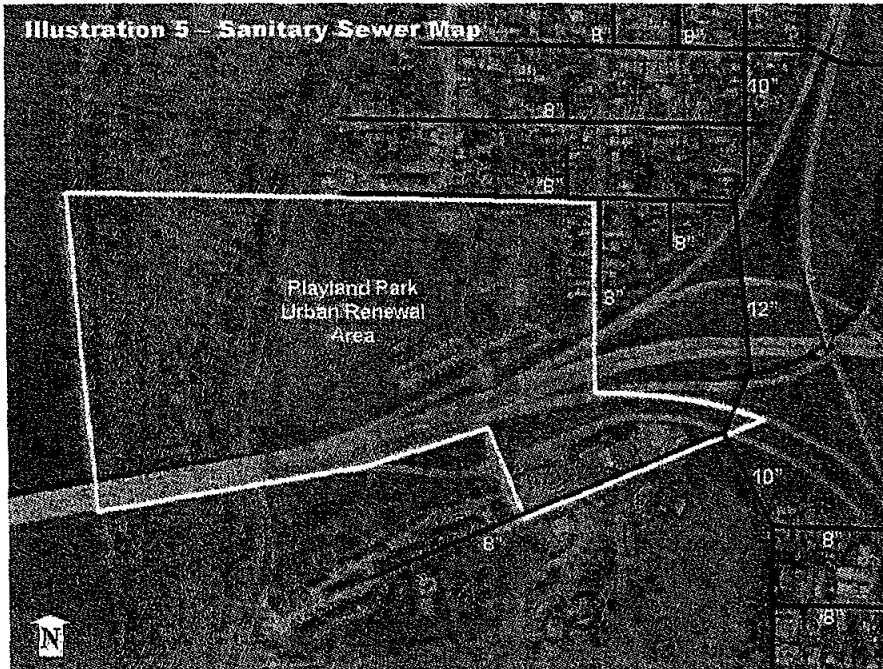
The inability to gain direct access to eastbound West Broadway is problematic and greatly inhibits the transportation network that serves the project area.

6. PUBLIC UTILITIES AND SERVICES

The northeastern portion of the urban renewal area has direct access to the municipal water system and sanitary facilities, but private extensions will need to be constructed to accommodate future development within the site. Currently, an 8" water main runs north-south through the eastern portion of the urban renewal area. In addition, a 6" main runs along Avenue B on the north side of the project area.



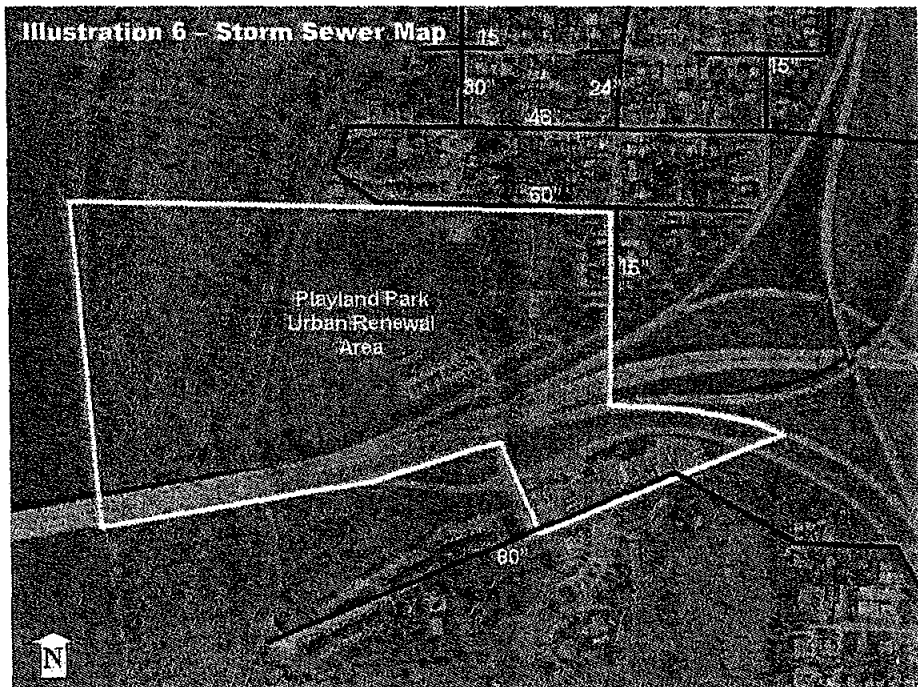
The developments surrounding the project area are adequately served by municipal water. Six inch water mains serve all the residential areas to the north of the urban renewal area. To the south of the urban renewal area, a 10" water main serves the River Park Apartments and Frito Lay parcels. Any future development will require water services to be extended from the existing municipal water network. Please refer to Illustration 4 on the previous page for the location and size of existing municipal water mains.



The northern portion of the urban renewal area also has direct access to the municipal sanitary sewer system. An analysis of sanitary facilities will need to be completed in order to determine the impact and necessary upgrades of the existing infrastructure (pump stations and force mains) to accommodate the proposed One Renaissance Center development. An 8" line flows north along N. 40th Street and then merges

into an 8" line that flows east along Avenue B at the northeast corner of the project area. Please refer to Illustration 5 for the existing sanitary sewer system.

The urban renewal area is inadequately served by storm water sewer infrastructure. Storm sewer mains run along the northern and southern boundaries of the urban renewal area. A 60" line runs along Avenue B to the north and an 80" main is located just south of the project area. However, the area proposed for development south of Avenue B and north of I-480 will require the extension of storm



sewer facilities. This includes the constructing a network of storm water sewer mains within the project area that connect to existing infrastructure. This will provide adequate storm water management for the proposed development area. Please refer to Illustration 6 on the previous page for the existing storm water sewer system.

7. PROJECT AREA ANALYSIS

The area proposed for the Playland Park Urban Renewal Plan has not fully developed because of several constraints. These constraints include the following:

a. Land Use and Zoning

The existing land use of the project area and the surrounding area is primarily residential in nature with large areas of green space and recreational opportunities. There is one industrial use, Frito Lay Inc., that conflict with the existing land use pattern. Zoning within the project area and the surrounding areas is appropriate for the existing land uses, aside from the eastern portion of the Frito Lay parcel. Much of the project area was recently rezoned to accommodate the multi-family residential development that has been proposed by One Renaissance Center L.L.C. A portion of Playland Park remained designated A-2 in order to retain that area for park use. Given the mix of single family residential and multifamily residential uses in this portion of Council Bluffs, the project area would be well suited for a multi-family residential use.

b. Blight

The presence of Frito Lay Inc. as an industrial use creates a blighting influence on the primarily residential developments within this area of Council Bluffs. In addition, the lack of public access to the riverfront creates a blighting influence. This lack of access creates a haven for transients and other nuisance activities to occur along the riverfront. These nuisance activities threaten the health, safety, and general welfare of the public. The lack of public access to the riverfront and the blighting influence of Frito Lay has limited development potential and has deterred development projects from occurring within this portion of the City.

c. Public Utilities and Services

As indicated the northeastern portion of the urban renewal area has direct access to municipal water, sanitary sewer, and storm water sewer systems. Adjacent residential areas to the north are currently served by these systems which will make extending these services to the project area easier.

d. Environment

The area is subject to periodic flooding due to: 1) a high water table during certain times of the year; 2) a nearly level terrain within the project area with poor drainage characteristics; and 3) the lack of storm water sewer facilities within portions of the project area. The problem of flooding makes development difficult within the area which involve

below-grade improvements. This problem can be mitigated by hauling in fill before development activities are undertaken, as well constructing an adequate storm water detention system.

e. Transportation

Since the project area is located adjacent to Interstate 480, any development activity will likely have a significant impact on traffic volumes of adjacent roadways. The entrance to the proposed One Renaissance Center development will be located at the existing intersection of 41st Street and Avenue A extension. However, the inability to gain access to eastbound West Broadway greatly inhibits the transportation network that serves the project area. A traffic impact study was completed in October of 2002 for the proposed development. The traffic study done by HGM Associates Inc. determined impacts to signalized intersection flows and identified the required improvements and/or modifications to be completed at the developer's expense.

f. Private Investment

The River Park Apartments, located south of the project area, received tax abatement benefits in 2000 through the City's Urban Revitalization Program. This allowed River Park to construct 5 new buildings that provided an additional 72 units to the complex. Since the early 1990's, the City's Infil Program has constructed several homes immediately north of the project area in the Playland Neighborhood.

Other than the recent redevelopment of the River Park Apartments and past City sponsored in-fill projects, this area of Council Bluffs has seen little private investment. This decrease in investment is due to the blighting influence of Frito Lay Inc. and the lack of public access within this area of the City. The additional cost to extend utilities within the project area has also deterred development. Since the areas from Playland Park west to the Missouri River have never been developed, water and sewer facilities are inadequate. Therefore any new development will require utility extensions to be constructed as part of the development process. This results in dramatically increased development costs, which makes building in this area undesirable to many developers.

CHAPTER III

OBJECTIVES

This plan is intended to strengthen the economy, enhance the viability, and stimulate the development of the surrounding area through the elimination of those factors which have inhibited the full development of the area. The demolition of three blighted commercial structures and implementation of the necessary municipal infrastructure will help accomplish this. This plan is intended to achieve the following objectives:

1. Protect the health, safety and general welfare of City residents through the removal or elimination of slums, blighted and substandard conditions that exist in the area.
2. Improve public streets and infrastructure to adequately support the desired land use by correcting substandard street pavement conditions and upgrading or installing public infrastructure to support existing and probable levels of additional development to contemporary standards and requirements.
3. Provide for adequate and improved vehicular ingress and egress to all properties within the area, specifically the riverfront development area on the wet side of the levee.
4. Provide for the creation of a unified land use district throughout the project area whose physical development is consistent with the area's residential character.
5. Reduce visual clutter occurring within the area.
6. Provide for the acquisition and creation of public open spaces, such as parks and trails, intended to support riverfront development and other plan objectives that will improve the aesthetic quality of the corridor.
8. Provide for adequate utility services to ensure the development of the area.
9. Provide for the appropriate storm water drainage and control to promote the development of the area.
10. To ensure the area is adequately served by public safety services and facilities.

11. To cause the construction of a multi-family housing development that is consistent with the surrounding neighborhood.
12. Redevelop non-conforming, industrial land uses in a manner that is consistent with the surrounding neighborhood.
13. Provide access to the Missouri Riverfront and create additional recreational opportunities.

CHAPTER IV

PROPOSED URBAN RENEWAL ACTIONS

1. URBAN RENEWAL POWERS

The proposed actions in the project area for the Playland Park Urban Renewal Plan will consist of one or more of the following actions as outlined by Chapter 403 of the Iowa Code.

- a. Dedicate, sell, convey or lease any interest in City property, or grant easements, licenses or other rights or privileges.
- b. Incur the expense of any public improvements made by the City through exercising the powers granted by Chapter 403 of the Iowa Code.
- c. Do any and all things necessary to aid or cooperate in planning of the urban renewal area or project.
- d. Lend, grant or contribute funds which further the objectives of this plan.
- e. Enter into agreements respecting actions to be taken pursuant to any of the powers granted by Chapter 403 of the Iowa Code.
- f. Cause public buildings and public facilities, including parks, playgrounds, and recreational, community, educational, water, sewer or drainage facilities, or any other works which the City is otherwise empowered to undertake to be furnished.
- g. Furnish, dedicate, close, vacate, pave, install, grade, regrade, plan or replan streets, roads, sidewalks, ways or other places.
- h. Plan or replan, zone or rezone any part of the public body or make exceptions from building relations.
- i. Cause administrative and other services to be furnished to the City.

2. PROPOSED PROJECT AREA ACTIVITIES

One Renaissance Center, Inc. in cooperation with the City of Council Bluffs shall take actions necessary to achieve the objectives of this plan. These actions shall include, but may not be limited to the following activities:

- a. Proposed One Renaissance Center Development – Resolution No. 02-347 granted approval of the Planned Residential Development Plan for the One Renaissance Center L.L.C. project. The developer intends to construct a “high-end” condominium and apartment development over-looking the Missouri River. In 2002, One Renaissance Center L.L.C. purchased approximately 16 acres from the City at the site of Playland Park. Currently these 16 acres are undeveloped and are not served by municipal utilities. This parcel is located immediately north of the Interstate 480 Bridge, south of Avenue B, east of the Missouri River Levee, and west of N. 40th Street. See Exhibits 3 and 4 at the end of this report.

The development plan indicates two high-rise condominiums and two “upscale” apartment structures will be constructed on the site. The north condominium tower will be 12 stories tall and contain 96 units while the south condominium tower will be 14 stories tall and contain 112 units. These structures will also have two levels of underground parking. Preliminary estimates for the condominium towers have projected costs to be in the range of \$200,000 to \$400,000 per unit, which amounts to \$30 to \$40 million per tower. The two apartment structures are slated to be 5 stories tall and contain 60 units each. Each apartment structure will also have one story of underground parking. All of the apartment units will have market rate rent levels, however pricing has yet to be determined.

Utility extensions and improvements for the proposed development will include the construction of sanitary sewer, storm sewer, and water service extensions. Municipal lines currently exist adjacent to the project area, which will make for easy connection to these services. However, upgraded sewer mains and pump stations may be required and would be the responsibility of the developer.

One Renaissance Center L.L.C. has requested that the City consider adopting an urban renewal plan designating the previously mentioned property as blighted. The reasons for this request include the lack of public access to the riverfront area and adjacent blighted land uses. Assistance in the form of a grant to be repaid through tax increment financing is desired. In order for this to occur a TIF ordinance will need to be adopted.

- b. Pedestrian Bridge and Landing – Funding has been secured for a pedestrian trail bridge to traverse the Missouri River in the area just north of the I-480 Bridge. Various sources have committed funding for the pedestrian bridge project. The federal government will contribute \$18.7 million, the states of Iowa and Nebraska will contribute \$1.5 million each, and the Papio-Missouri River Natural Resources District will contribute \$1 million. Once constructed the City of Council Bluffs and the City of Omaha will share in the ownership of the bridge. Both cities have agreed to set aside \$100,000 annually for the ongoing maintenance costs of the bridge. See Exhibit 1 for the pedestrian bridge location.

On the Iowa side of the river, the landing area for the pedestrian bridge will land on the Missouri River Levee at Playland Park. A landing plaza will likely be constructed at the landing site of the pedestrian bridge. This plaza will be owned and maintained by the City of Council Bluffs.

- c. Riverfront Development – A consulting firm, EDAW, has been contracted to prepare a Riverfront Development Plan for the Iowa side of the river. Once adopted, this Riverfront Development Plan will be a guide for any improvements made on the wet side of the levee. Several concept plans have been completed by EDAW, but at the present time a finalized plan has yet to be presented to the City for review and consideration. Exhibit 2 shows a recent preliminary concept for the riverfront development.
- d. Redevelopment of Frito Lay Inc. and the former Dodge Park Golf Course Clubhouse and Driving Range – Preliminary development plans have indicated that the area of Frito Lay and the former Dodge Park clubhouse and driving range have redevelopment potential. Since the construction of the new clubhouse located at 2 Harrahs Blvd the old club house and driving range have remained vacant and unused. This has resulted in the deteriorated condition of the club house and driving range site. Redevelopment would likely include a multi-family housing development that not only compliments the proposed One Renaissance Center development, but also the strong residential character that is present throughout this portion of Council Bluffs.
- e. Tax Increment Financing – The City of Council Bluffs, Iowa has a general obligation debt capacity of \$119,013,002 and, as of the latest bond statement issued on March 11, 2003 the City has a outstanding general obligation debt in the amount of \$60,945,000. The City will use the division of revenue authorized by Iowa Code

Section 403.19 to finance its planning and carrying out of the Urban Renewal Plan in such manner as may be permitted under Chapter 403 of the Iowa Code. The proposed amount of indebtedness to be incurred under the Plan, which will qualify for payment from the special fund created by Code Section 403.19, subsection 2, is \$3,500,000, which shall include loans, advances and indebtedness if bonds are issued and shall exclude obligations replaced, retired, or refunded by refinancing.

3. EXCLUSION FROM TAXATION DURING THE PROCESS OF CONSTRUCTION

The value added to real estate in the urban renewal area during the process of construction or redevelopment shall be excluded from taxation. However, the value added during the construction phase shall not be excluded from taxation for more than two (2) years. Further, the exclusion from the taxation shall not be applied to a facility, which has been more than eighty percent (80%) completed as of the most recent date of assessment.

CHAPTER V

LAND DISPOSITION SUPPLEMENTS

This plan may be amended to add additional land use controls and regulations for development of sub-areas within the project area. These additional land use controls and regulations will provide the basis for control by the City of Council Bluffs for any and all real property disposed of by the City for private development within the area and control of public projects and improvements.

CHAPTER VI

EFFECTIVE TERM OF URBAN RENEWAL PLAN

The provisions, regulations, controls, requirements, and restrictions of the Playland Park Urban Renewal Project Area shall be in effect for a period of thirty (30) years from the date that the City Council approves and adopts same. Developers who hereinafter obtain an interest in or title to property within the project area from the City for uses in accordance with this plan may be required to execute a covenant in favor of the City, binding on themselves and their successors in interest, to observe the regulations and restrictions of this plan in the use of such property and in the design of improvements which are placed thereon. Such covenants will be binding during the effective term of this urban renewal plan, as set forth hereinabove.

CHAPTER VII

EFFECT OF CREATION OF URBAN RENEWAL PLAN AND PROJECT AREA

The adoption of the Playland Park Urban Renewal Plan and Project Area will not adversely affect other districts. However, the City has determined that an urban renewal program will best serve the existing and anticipated needs of the area rather than other potential City programs. The City has further determined that additional development is likely to occur only if the City becomes actively involved in the development effort pursuant to the urban renewal powers vested in it under Chapter 403 of the Iowa Code.

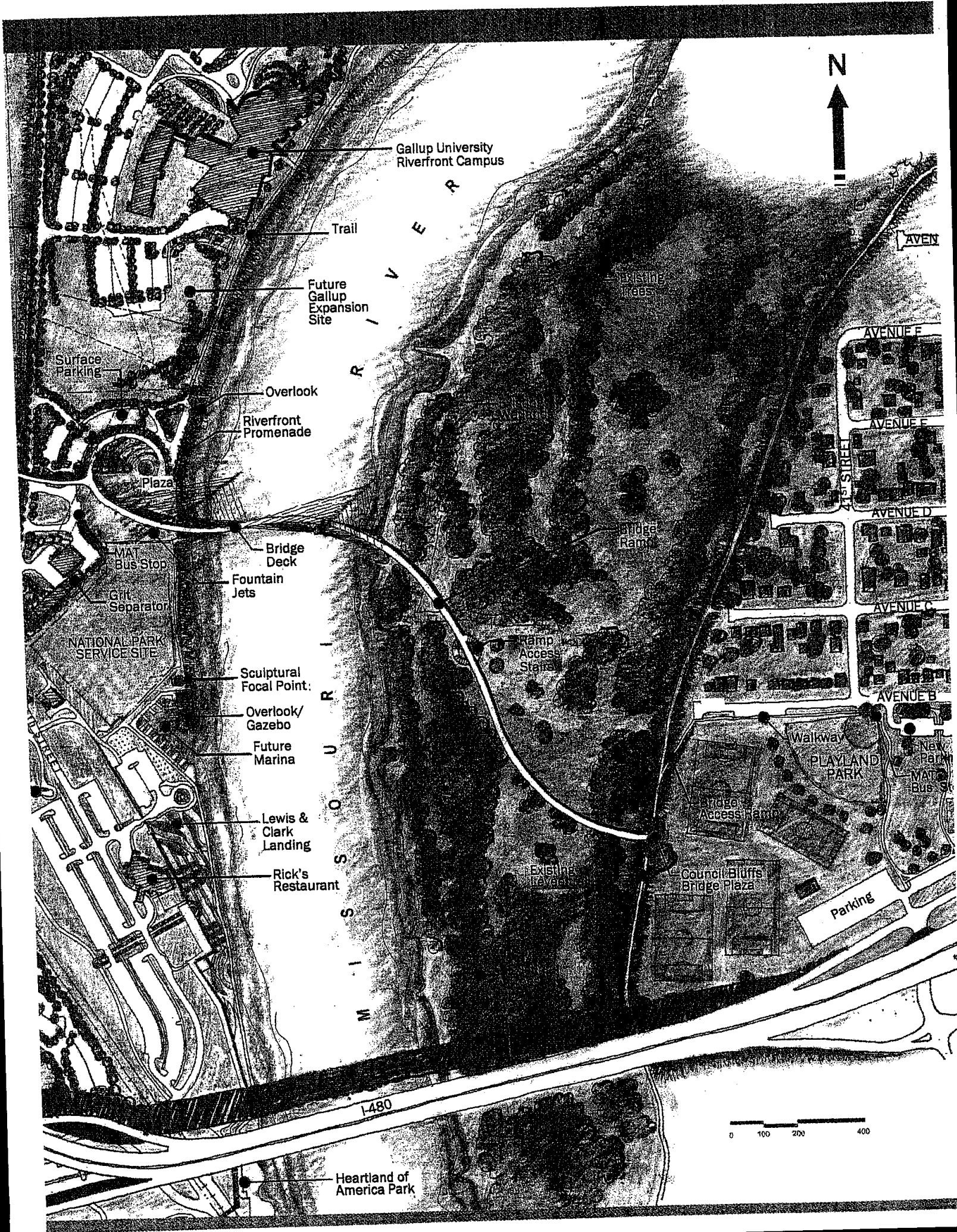
Further, the City finds that the adoption of this plan is in conformance with the policies and objectives set forth in the 1994 Council Bluffs Comprehensive Plan.

CHAPTER VIII

PROCEDURES FOR AMENDMENT OF URBAN RENEWAL PLAN

In accordance with Chapter 403, Section 403.5 (5) of the 2003 Code of Iowa, this plan may be further amended or modified at any time: Provided, that if modified after the lease or sale by the municipality of real property in the urban renewal project area, such modification may be conditioned upon such approval of the owner, lessee or successor in interest as the municipality may deem advisable, and in any event such modification shall be subject to such rights at law or in equity as a lessee or purchaser, or a lessee's or purchaser's successor or successors in interest, may be entitled to assert. The municipality shall comply with the notification and consultation process provided in this section prior to the approval of any amendment or modification to an adopted urban renewal plan if such amendment or modification provides for refunding bonds or refinancing resulting in an increase in debt service or provides for the issuance of bonds or other indebtedness, to be funded primarily in the manner provided in section 403.19.

If the City desires to make any further change or modification of this plan, it may do so by resolution of the City Council of Council Bluffs, Iowa, upon review and recommendation by the City Planning Commission, and after notice and public hearing before the City Council, as required by Section 403.5 of the 2003 Code of Iowa, or any successor provision thereof.



Gallup University
Riverfront Campus

Trail

Future
Gallup
Expansion
Site

Surface
Parking

Overlook

Riverfront
Promenade

Plaza

AVAT
Bus Stop

Grit
Separator

NATIONAL PARK
SERVICE SITE

Sculptural
Focal Point

Overlook/
Gazebo

Future
Marina

Lewis &
Clark
Landing

Rick's
Restaurant

EXISTING
BRIDGE

Bridge
Ramp

Ramp
Access
Stairs

EXISTING
TRAVEL

Walkway

PLAYLAND
PARK

Bridge
Access
Ramp

Council Bluffs
Bridge Plaza

Parking

Heartland of
America Park



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CHAPTER IX

EXHIBITS

The attached exhibits are made a part of the Playland Park Urban Renewal Plan:

1. Missouri River Pedestrian Bridge Location (E.I.S.)
2. Preliminary Riverfront Development Plan (EDAW)
3. Preliminary site plan for One Renaissance Center development (DLR)
4. Preliminary development drawings of the One Renaissance Center development (DLR)



PRELIMINARY

