

**REGULAR PLANNING BOARD MEETING**  
**Monday, June 9, 2014 - 7:00 P.M.**  
**City Hall - 950 Locust St., Carter Lake, Iowa**

Roll Call

Approval of the Agenda

1. Consent Agenda
  - a. Approve Planning Board Minutes – May 12, and May 27, 2014.
  - b. Review City Council Minutes – May 19, 2014.
  - c. Review Building Permits – May, 2014.
  
2. New Business
  - a. PVS Project – Plan Review
  - b. Planned Industrial Zoning District Ordinance
  - c. Fleetpark LLC – 2200 Abbott Dr. – Proposed truck leasing and storage.
  - d. Storm Water Committee Update.
  
3. Old Business (limit discussion 5 minutes per topic)
  
4. Special Meetings
  
5. Assignments
  
6. Comments

Adjourn

06/06/14

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City of Carter Lake  
City Hall – 950 Locust Street  
Proceedings: Regular Planning Board Meeting  
Monday, May 12, 2014 – 7:00 PM

Meeting called to order by Vice Chair Karen Fisher at 7:00 PM.

Roll Call: Present: Karen Fisher, Ed Palandri, Jay Gundersen, and Jackie Wahl.

Board member Pauly arrived at 7:10 PM

Absent: Michelle Schaffer and Tim Podraza

Also present: City Attorney Joe Thornton and Deputy City Clerk Lisa Ruehle.

Approval of the Agenda – Moved by board member Palandri seconded by board member Wahl to approve the agenda as presented. Ayes: Unanimous.

1. Consent Agenda - Moved by board member Palandri seconded by board member Gundersen to approve the consent agenda as presented. Ayes: Unanimous.

2. New Business

a. The Attorney stated that the City had received an email from Richard Owen, who is the owner of property adjacent to 2200 Abbott Dr, requesting that the Fleetpark LLC request be tabled. The Attorney informed him that the discussion would most likely occur at this meeting. The board did not want to table the item at this time.

Wayne Hoovestal was present as the representative for Fleetpark LLC. Their main company is Lone Mountain Truck leasing. They purchase large groups of trucks and sale and finance them to owner operators. Their shop is at Pacific Junction and their office is in downtown Omaha and they have three other locations. They are contemplating purchasing the Info USA property. They would add some additional parking and making the back building for light maintenance and clean up of the trucks. Their corporate office would be moving into the middle building. He requested that the board and council consider a P-I Planned Industrial zoning district. They would be doing some truck maintenance and outdoor parking of trucks. There would not be any trailers on the property. He would like clarification of what the appropriate zoning designation should be for his business operations. The empty lot behind the Country Inn and Suites would most likely a retention pond for storm water storage. They will be bringing 50 to 60 jobs to the facility. They are also considering building a new facility in Council Bluffs. Eventually they would like to have office space for 100 workers. They are not sure how they will use the office building that is on Abbott Dr. but they will probably lease it as office space. The front building could remain under the current zoning designation since it would always be used as office space. There could be up to 100 trucks on the property at any given time. Normally they have 50 to 70 trucks. The lot behind building three, near the tank farm and railroad tracks is where they intend to store the trucks. Trucks that are held on site will be on concrete. There will not be any gravel. The trucks they purchase are 3-4 years old and they do not do major repairs like engine overhauls. Board member Palandri stated that the trucks would be on display in a parking lot. Mr. Hoovestal does not foresee any frontage display along Abbott Dr. Palandri stated that the board's intent was to have a business park in that area. He would prefer a conditional use permit for a specific business and a specific owner for a specific period of time. He would like to stay with the board's original plan and intent. Mr. Hoovestal stated that his operation is clean and he feels it would fit on the property well. Attorney Thornton provided the board with a copy of Council Bluffs' Planned Industrial District. This would allow the board to set some limits and gives the board the ability to have some control and transition the property between the warehouse and a commercial/business

park. The potential would be to deal with the back two lots and keep the front lot as it is. If this business moves to Council Bluffs they would have to build from ground up. If he comes here he would be using existing property that has been sitting empty for quite some time and bring 60 jobs to Carter Lake. Ed and Jay are opposed to spot zoning or rezoning however a conditional use permit with stipulations might work on this property. John Jerkovich stated that Council Bluffs changed some zoning with the stipulation that Fleetpark LLC move their business onto the property. Board member Gundersen is concerned about someone doing something different once they are allowed to move onto the property. Mr. Jerkovich feels that the back of the property abuts PVS and a tank farm, so they felt this business would be a good fit. The Attorney stated that if you look at something like a Planned Industrial area gives the board control over what is allowed. Our current ordinance will not accommodate what Fleetpark wants to do on the property. Mr. Hoovestall reiterated what his business does and that there is no intent to bait and switch. This will be their corporate offices and a shop. Board member Gundersen suggested that this item be referred to the City Council for their consideration and then the council could give the Planning Board some guidance. The Attorney stated that he believes the City is interested in finding some way to make this work. Mayor Waltrip stated that he is looking out for the City of Carter Lake. He is interested in bringing the 50 to 60 corporate office jobs to Carter Lake. The third building is on a tank farm next to a railroad track and cannot be seen from Abbott Dr. Jerry went to the assessor to discuss the current assessment on this property. He also took Mr. Hoovestall to the assessor to discuss this proposal. The Attorney suggested that we put this request on the council agenda for the next meeting. Copies of the Planned Industrial information will be given to the council and the board members not in attendance. He believes the council would like board input on this request. Fleetpark has options on some other property, so he would like some idea of what can be done in Carter Lake prior to July 1. There have been some preliminary discussions with the attorney regarding a development agreement. Generally the board is opposed to spot zoning but they would like to work something out to allow this business to move to Carter Lake. Jay stated the board has been very consistent on denying spot zoning. Ray stated it is not spot zoning but more of a transitional zoning.

Council member Cumberledge reiterated that it is not spot zoning and he believes the council would like to move forward with the project.

Sharon Paterson stated that the city should try to recruit new businesses and we should do anything we can to get this business here rather than have them build in Council Bluffs.

Moved by board member Gundersen seconded by board member Wahl to table this request until the next board meeting. Ayes: Unanimous. The board would like this item to be placed on the next council agenda to get some feedback for their next meeting. The Attorney would like some feedback on the Planned Industrial District and/or M-1. The board will set up a special meeting for Tuesday, May 27<sup>th</sup> at 7:00 PM to review the feedback from the council. The board again discussed the overlay concept with a development agreement. It is important for the city to have some control and protect the city's interests.

b. At the last storm water committee meeting they decided to put information pamphlets together to go out with the Inside Carter Lake.

3. There was no Old Business to discuss at this time.

City of Carter Lake  
City Hall – 950 Locust Street  
Proceedings: Regular Planning Board Meeting  
Monday, May 12, 2014 – 7:00 PM

4. There will be a special meeting on Tuesday, May 27, 2014 at 7:00 PM.

5. Board member Pauly will present at the council meeting.

6. Comments:

Board member Wahl thinks the proposal looks good as long as we protect our own interests.

Board member Fisher agreed with board member Wahl.

Board member Pauly stated that the board is not opposed to new business however, the board is cautious because of prior incidents. He thinks the general business climate is more to blame for businesses not building in Carter Lake.

Meeting adjourned at 8:09 PM.

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Lisa Ruehle, Deputy City Clerk

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Ray Pauly, Chairman

City of Carter Lake  
City Hall – 950 Locust Street  
Proceedings: Regular Planning Board Meeting  
Monday, May 27, 2014 – 7:00 PM

Meeting called to order by Chairman Ray Pauly at 7:09 PM.

Roll Call: Present: Ed Palandri, Jay Gundersen, Ray Pauly, Tim Podraza and Jackie Wahl.  
Absent: Michelle Schaffer and Karen Fisher  
Also present: Deputy City Clerk Lisa Ruehle.

1. Chairman Pauly opened the floor to anyone who wanted to discuss the proposed zoning changes to accommodate Fleetpark LLC at 2200 Abbott Dr. Realtor John Jerkovich appeared before the board on behalf of Mr. Hoovestal. He stated that they had gone through a similar process in Council Bluffs. They feel rezoning is the best way to go instead of a conditional use permit. They would like to leave the front building as it is currently zoned and rezone buildings two and three. Board member Palandri had understood it was only going to be the back building. Sales would be in the second building and refurbishing would be in the third building. There will be approximately 50 to 100 vehicles displayed on the property at any point in time. There will not be any trucks on parcel one along the Abbott Drive corridor. HGM will be preparing a storm water discharge permit for the property. Attorney Thornton stated a planned industrial district gives the board the ability to use a development agreement to set certain criteria to the project. There is a letter on file from Mr. Owen regarding his approval of the project, but he has concern with the storm water issues in the area. Board member Gundersen suggested that traffic to the property come off the north side onto the third parcel in the back. The board questioned if that access was a public street. The Attorney stated that if you do not change the zoning, this project will not occur. A portion of the property will include additional paving and a storm water solution. Board member Podraza's main concern is that there will be trucks parked on Abbott Drive. Building two will be an office and data center. Building three will be for the truck repairs. There is also a fourth parcel that is vacant land. Hannah Hoovestal was present. She stated that when the trucks are brought in they come in both single and decked up of up to 3 trucks. All of the unloading would be done on the back of the property. Nothing would be done on or along Abbott Drive. Board member Podraza wants the business park to stay looking nice. The Attorney stated a new ordinance classification would have to be adopted to make the changes for a planned industrial zone. He suggested the board look at the ordinance he provided them and then submit any proposed changes to him prior to their June 9<sup>th</sup> meeting. There will need to be a hearing if the zoning of the property is going to be changed. Board member Gundersen stated he wouldn't have any issues if there are stipulations on the use of the properties. Board member Pauly stated the council is in favor of a zoning change for this property, as opposed to a conditional use permit. Board member Palandri stated that the property borders C-2. In C-1 and C-2 they allow repair, servicing of vehicles and body shop work but it does not allow sales of equipment. He would suggest that they expand C2 to occupy buildings 2 and 3 with the caveat that the matrixes for C-2 get changed to include equipment rental and sales with a conditional use permit. Board member Palandri would support this as long as there is a conditional use permit and it is tied to the property owner only and it ceases when the business ceases. He would want to see the site development plan so they could see what to include in the conditional use permit. Board member Gundersen said he would like to see something that runs with the property owner not the property. He would put conditions with the land and not the owner. He would like

City of Carter Lake  
City Hall – 950 Locust Street  
Proceedings: Regular Planning Board Meeting  
Monday, May 27, 2014 – 7:00 PM

to fine tune the planned industrial zoning that was presented by the attorney. He just does not want to see trucks scattered all over. Board member Pauly stated the board just wants to be aware of what is going on, on the property. Board member Palandri has looked at the information provided by the attorney and in his opinion it takes portions of several districts and combines them in a way that is not good for Carter Lake. It would be a new zoning district within the business park. He believes an M-1 designation would be more appropriate as light industrial with a conditional use permit. The Attorney stated that the ground has set empty for quite some time and the building has been vacant for several years. M-1 would allow more types of uses than the board probably wants. Jay wants the property use to run with the owner. Mr. Jerkovich stated that he would have to check with Mr. Hoovestal, since that would restrict him with any future sales of the property. Council Bluffs has the overlay district along with conditions attached to the rezoning of the property. Board member Palandri stated that zoning changes go with the land. Conditional use permits go with the owner. The Attorney stated that most of the issues can get resolved by fine tuning the language in the ordinances. He has started a rough draft of a development agreement. Board member Palandri would like to hold the zoning issue until the development agreement is completed. He stated that if the board was looking at the Planned Industrial Zoning that it should be defined prior to having public hearings on the rezoning. This should be completed prior to the June 9<sup>th</sup> meeting. The Attorney said the board could send suggested changes to him and to Board Member Palandri. Board member Palandri stated the various reasons why he felt C-2 would be the best solution for this particular incidence. Board member Podraza stated he was originally opposed to the idea, however with certain stipulations on the use of the property he is leaning more towards approving the project. Moved by board member Gundersen seconded by board member Wahl to work towards changing the zoning to a Planned Industrial District for lots 2 and 3 and direct the Clerk or the Attorney set up any public hearings that are needed. Board member Palandri asked for the motion to be read back. Roll Call - Ayes: Unanimous.

Meeting adjourned at 8:04 PM.

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Lisa Ruehle, Deputy City Clerk

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Ray Pauly, Chairman

City of Carter Lake  
City Hall – 950 Locust St.  
Proceedings: Monday, May 19, 2014  
Regular City Council Meeting – 7:00 PM

The Pledge of Allegiance

Mayor Gerald Waltrip called the meeting to order at 7:00 PM.

- I. Roll Call: Present – Mayor Gerald Waltrip  
Council members Ed Aldmeyer, Barb Hawkins, Dave Huey, Ron Cumberledge and Barb Melonis.  
Also present –City Clerk Doreen Mowery  
City Attorney Joe Thornton attended by telephone for the first hour of the meeting.
- II. Approval of the Agenda – The Clerk requested that items 2, 4 and 5 under Communications from Departments be moved up on the agenda to right after item 2 in Communications from the Public. Moved by council member Melonis seconded by council member Cumberledge to approve the agenda with the changes. Ayes: Unanimous.
- III. Consent agenda – Moved by council member Huey seconded by council member Hawkins to approve the consent agenda as presented. Ayes: Unanimous.
- IV. New Business
  - A. Communications from the Public
    1. Wayne Hoovestol was present to represent Fleetpark LLC. Fleetpark purchases used trucks, cleans them up, does some light maintenance on them and then they sale and/or lease them. They have a central office in downtown Omaha and a truck shop on I-29 in Pacific Junction. They would like to consolidate some of their businesses and they are looking at the Info USA property on Abbott Drive. In order for them to be able to get a dealer’s license for the property they must be in an area zoned for trucks and truck repair. If they purchase the property they will be adding some parking for the trucks and they will need to add storm water storage. There will not be any trailers on the property. The property would provide them with room to grow. The planning board has reviewed information that was provided by the attorney to allow them to look at some type of transitional zoning. The front office would remain zoned as a business park. If the council is interested in moving forward with this proposal the planning board will continue working on a recommendation. Planning Board Chairman, Ray Pauly stated that the board is leaning more toward rezoning rather than issuing a conditional use permit. The board will meet again on May 27<sup>th</sup> at 7:00 PM. Council member Melonis would like to do whatever needs to be done to make the project work. A development agreement would include items such as no trailers parked on the property and no parking trucks along Abbott Dr. This item will be brought back to the council at their June meeting along with a recommendation from the Planning Board. A letter from Robert Owen, Chairman of Owen Industries, was submitted endorsing the project. Wayne

Hoovestal stated that he has had conversations with the Country Inn and Suites and they are not opposed to his business locating on that property.

2. Mayor Waltrip

a. There are approximately 20,000 cobblestones in the maintenance yard that the Mayor would like to sale. He would like to sale them as one lot with the understanding that the purchaser will have to haul them away. The Attorney stated that it does not have to be published, however they have to be offered in a reasonable way. The Mayor currently has three sealed bids from some area nurseries. The Mayor stated that he talked to the Parks Director and the parks department does not need the cobblestones. Moved by council member Aldmeyer seconded by council member Huey to publish an ad to accept bids thru Tuesday, May 27<sup>th</sup>. Ayes: Unanimous.

b. The Mayor stated he asked to be put on the agenda for the library because it seems that when the library tries to do something they meet some opposition and that they are controlled by the State. He stated we have an excellent board and the employees are fantastic. He would like to see the City and the Library get along really good and they seem to get tripped up from time to time. His opinion is that the Library is the most important building in the City. Council member Hawkins stated that we have an excellent Library and she doesn't know where the obstruction issue is coming in. Mayor Waltrip stated that the Library has the ability to move some budgetary funds around and they are not being allowed to do that. He thinks they have the freedom to do that. The Attorney stated that he doesn't believe that is the issue.

Apparently there has been some type of change in position and in order for that to happen there is a process and procedure with the union contract. He doesn't believe anyone is not working with the library but there is a process and procedure with the union contract that has to be followed. Kim Smith, Vice President of the Library Board came before the council. She read one of the sections of the contract regarding creating a new position. She stated the board was not trying to negotiate a new position that there is currently a similar position in the contract and that is the pay they proposed. The Mayor stated that he had asked the clerk to write the paycheck if the employee had it coming. Ms. Smith wanted to know if the Mayor or Council had authorized the clerk to investigate this issue. Council members Aldmeyer, Hawkins, and Melonis stated that the clerk is supposed to safeguard the City. The clerk explained that her question was simply are we doing it within the confines of the contract and is what we were doing legal, since she was being asked to write a check. She stated that she knows the Library is autonomous and she understands how that works, however she does not know how that fits in within the confines of the union contract. Ms. Smith stated that the board had a meeting and had invited the union representative and the position change had been approved. The union person originally approved it because nothing had to be negotiated because there was another department with the same type of position. The union representative then rescinded that position. The

Attorney stated that if the board was going to propose a change in job description that changes wages and changes the description so that it fits under the union contract then that needs to be made clear. He stated it wasn't made clear that the Library Board was changing a job description that would make a change in wages under the union contract. He stated that we need to take a step back and follow the proper procedure so there is a full understanding by the council of whether or not they are approving the change in job description that results in an increase in pay as opposed to just changing job descriptions. That is what the union representative has determined wasn't done, the union itself said that the proper procedure wasn't followed. The Union Representative stated that she wanted everything in writing, so the Mayor sent her a packet with minutes from the Library and Council since December. The Library Board and the union believe the job descriptions are the same, however the council has not been given an opportunity to agree or disagree with that. The Library Board President Bonnie Freeman stated that the job descriptions were sent because Mary Schomer did get a promotion. Council member Hawkins stated that the council had approved a job description, but it was not presented as a promotion. The Attorney stated that we need to set down with representatives from the Union, the Library Board and the Council and look at the contract to see what is supposed to be done and then bring it back to the council with a full understanding of what the issues are. Council member Aldmeyer would like clarification on what the original job description was and what the changes were. The Mayor stated he sent the union all of the emails along with the minutes. The Mayor will get the meeting set up. Sharon Paterson found it hard to believe that the council spent so much time on a title change when they didn't worry about legality when they approved contracts on December 30, 2013.

c. The Library Board has submitted a proposed change in their budget for FYE 6-30-15. The Attorney suggested that this item be tabled until the wage issue is resolved. Moved by council member Hawkins seconded by council member Melonis to table the proposed Library budget amendment. Ayes: Unanimous.

3. Candice Leisinger had requested permission to close Ave. K from 13<sup>th</sup> St. to the backyard of 1405 Lindwood Dr. on the Fourth of July. Moved by council member Melonis seconded by council member Cumberledge to approve the request. Ayes: Unanimous. The council would like Ms. Leisinger to set a time for the street closure.
4. Holly Collins was present on behalf the PTO to discuss the functions of the PTO and their 5<sup>th</sup> Annual Golf Outing. In the past they have used the funds from the golf outing to purchase playground equipment, robotics, random acts of kindness goodies, gifts for the teachers, food for events, special instruction supplements, etc. In the past the council member Aldmeyer made some very generous donations for the silent auction. Holly requested that the council and public consider supporting the golf outing by donating items for an auction,

sponsoring a hole, or attending the event. The Annual Golf Event will be held on Sunday, June 29<sup>th</sup> at 2:15 PM at Shoreline Golf.

5. Moved by council member Cumberledge seconded by council member Aldmeyer to approve the applications for solid waste collector permits. Ayes: Unanimous.

B. Communications from the Departments

1. There were four new applications for the Volunteer Fire Department. Moved by council member Aldmeyer seconded by council member Cumberledge to approve the applications. Ayes: Unanimous. Phill Newton was not able to attend the meeting so he sent an email with several requests. The department is in receipt of a jet ski and the Mayor has asked them to park it until there is some clarification on the additional liability and insurance. The council would like the clerk to check on liability and insurance before using the jet ski for water rescue. Moved by council member Melonis seconded by council member Aldmeyer to table approval of the jet ski. Ayes: Unanimous. The clerk will check on the insurance. The department had placed an order for a power cot and the Mayor questioned the necessity of having a power cot. The money has been budgeted in next year's budget and it takes 4-5 weeks to get the item delivered and there will be a cost savings if it is purchased now. The department currently has a power cot, they would like the second one for the new ambulance. Moved by council member Melonis seconded by council member Hawkins to approve purchase of the power cot. Ayes: Aldmeyer, Hawkins, Huey, and Melonis. Nays: Cumberledge. The department has \$10,000 budgeted to match Iowa West Grant Funds. At this time, the department has not made those purchases and they are requesting that \$10,000 be carried over to next year's budget so it can be used at that time. Moved by council member Hawkins seconded by council member Aldmeyer to approve carrying over the funds until next year. Ayes: Aldmeyer, Hawkins, Huey. Nays: Cumberledge, Melonis. Jerry Bell stated that council member Huey should excuse himself from voting on fire department matters. The Mayor will run that question past the Attorney. The department has put together the costs of the truck, building and equipment. They would like a special meeting to move forward with their project. As a cost savings, the Mayor thinks the council should consider paving the section of 9<sup>th</sup> Street from Locust to Ave. J while doing the PVS project and purchasing the items for the fire department. The council will check their availability for a workshop. The clerk stated that it is National EMS week and we should thank all of our EMTs for what they do for the City.
2. There were no additional items to be covered by the Planning Board.
3. There was not a Storm Water Committee update at this time.
4. Council member Cumberledge has talked to WIDA several times and they sound like they can do a lot more for the City and they had some additional information provided to them. They have a decent marketing tool with LOIS

City of Carter Lake

City Hall – 950 Locust St.

Proceedings: Monday, May 19, 2014

Regular City Council Meeting – 7:00 PM

but we haven't supplied them with the information they need. He stated they don't have anything for us so they haven't been doing anything for us. He would like some money for signage on the empty lots to show the tax incentives that are available. He has also visited with Omaha about marketing. He would like \$1,000 for signs that would tell what is available for incentives in Carter Lake. The Mayor thinks the marquee should be on Abbott Drive and the City should sell advertisements to promote Carter Lake. Sharon Paterson handed out an article from Elk Point, South Dakota showing a company had recently moved there from Bennington, NE. She stated the company could have been in Carter Lake if we had tried to market.

5. Animal Control Officer, Shannon Dunlap presented some proposed changes for the council to consider. She has done some research on the benefits as well as the negative aspects of having urban chickens. She provided the council with a copy of the Iowa City ordinance. The Mayor stated he is working with the airport on the geese. Council member Melonis believes chickens belong in the country but she is also considerate of the citizens' opinions. Shannon stated that she has received several questions about having urban chickens. Michelle McWilliams told the council she is in favor of allowing citizens the option of having urban chickens.

Shannon also discussed tethering animals. Our ordinance states that if the animal has food, water and shelter then it is being cared for. She has seen animals that do not have a very large shelter in the winter. She has provided the council with a copy of the ordinance from Council Bluffs. She would like the council to consider how we are allowing the animals to be treated and consider making some changes in our existing ordinance.

Currently there is a pit bull ban in Carter Lake and she would like the council to consider changing that ordinance too. Shannon has provided two ordinances with options on how to keep pit bulls in Carter Lake.

Council member Melonis thanked Shannon for being so proactive on animal control issues. She would like some time to review the proposals Shannon submitted.

Greg Kuchera stated that he is concerned about the wild animals in Carter Lake that she has to take care of when they come off of the river.

The Chief has provided the Mayor with a proposal on pit bulls.

Michelle Schafer commented that a dog will only be as ferocious as the owner allows them to be.

The clerk read an email from a citizen who objects to lifting the ban on pit bulls.

Mike Fitzpatrick stated that there used to be a pit bull on his street that attacked another dog.

6. The clerk stated that the Council will not be able to award a construction contract on the paving for the PVS project until after the State has had an opportunity to review the bids.

V. Ordinances.

- A. Moved by council member Melonis seconded by council member Hawkins to approve an ordinance amending Chapter 92 – Water Rates on the second consideration. Ayes: Hawkins, Huey and Melonis. Nays: Cumberledge and Aldmeyer.
- B. Moved by council member Hawkins seconded by council member Huey to adopt an ordinance amending Chapter 99 – Sewer Service Charges on the second consideration. Ayes: Hawkins, Huey, Melonis, and Aldmeyer. Nays: Cumberledge.
- C. Moved by council member Cumberledge seconded by council member Huey to adopt an ordinance amending Chapter 110 – Storm Water Utility on the second consideration. Ayes: Unanimous.  
Kenny Savage requested that the council have the third reading on the storm water ordinance.  
Bill Dahlheimer is concerned about the flat fee for sewer. The proposed ordinance change freezes sewer rates so there will not be an increase on July 1st. The council is doing a study to consider changing the way the sewer rates are charged.

VI. Resolutions

- A. Moved by council member Hawkins seconded by council member Melonis to approve the resolution to allow a Section 125 Premium Only Plan. Ayes: Unanimous.
- B. Moved by council member Cumberledge seconded by council member Huey to adopt a resolution approving a tax abatement for 3906 N. 11<sup>th</sup> Street. Ayes: Unanimous.
- C. Moved by council member Melonis seconded by council member Huey to approve a resolution authorizing liens for unpaid utility bills. Ayes: Unanimous.

VII. Comments

The Mayor appreciates the council and planning board keeping an open mind on the project on Abbott Drive.

Barb Melonis thanked everyone for coming to the meeting. She also thinks that the Abbott Drive project will be a real shot in the arm. She feels that the industrial park on 11<sup>th</sup> in Omaha will be good for the community as well. Regarding the animal control issues, she would like to hear from the public with their opinions.

Mayor Waltrip stated that he has had many calls on the lake. The DNR, DEQ, Omaha's Park Director, the Airport Authority, and Corp of Engineers will be at City Hall Thursday, May 22<sup>nd</sup> at 10:30 to have a meeting with the public on lake issues.

John Pinkerton expressed concern that the light on the lake pump on the north side of the lake is not on and it normally is when it is pumping. The pump has been vandalized. Mr. Pinkerton also wanted to know if the weeds in the lake were going to be mowed or sprayed. The weed harvester cannot be put in the lake because the water is so low.

City of Carter Lake  
City Hall – 950 Locust St.  
Proceedings: Monday, May 19, 2014  
Regular City Council Meeting – 7:00 PM

Ron Cumberledge stated that the marketing would not be for one specific property owner, it would be for the whole community. He thanked the council for looking at the utilities and getting rid of the storm water fees.

Council member Huey wanted to make sure maintenance was still picking up tree branches from the storm.

Council member Hawkins thanked everyone who showed up at the lake clean up. The Clerk stated that when the lights were flashing earlier the recording shut off and the first 20 minutes of the council meeting were not recorded.

Mary Joe Pinkerton would like the council to consider have parking on only one side of Ave. Q between 13<sup>th</sup> and 17<sup>th</sup> Street. The Mayor stated he will look at the area.

Ray Pauly stated that he has heard people comment that it is difficult to hear during the council meeting. He feels it would be easier to hear if people were more respectful and did not talk during the meeting.

This meeting was adjourned at 9:15 PM.

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Doreen Mowery, City Clerk

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Gerald Waltrip, Mayor

2014

May

**Residential Building Permits**

Permit #	Date	Applicant	Address	Description	Permit Amount	Date Paid	Recpt. #	Value of Permit	Permit Exp. Date
R46-14	05/01/14	Tim Mandolfo	179 CLC	New Electrical Service	75.00	05/01/14	12294	1,500.00	06/01/14
R47-14	05/01/14	A1 United Htg / AC	611 Ace Q	Replace A/C Unit	27.00	05/05/14	12295	1,500.00	07/01/14
R48-14	05/06/14	Doug Wallingford	10 Marina Crt	Patio Roof / Fence	38.50	05/06/14	12305	3,600.00	08/06/14
R49-14	05/07/14	Service One	1215 Ave Q	Replace Water heater	25.00	05/13/14	12333	706.00	06/30/14
R50-14	05/07/14	Floyd (Lee) Hudson	1215 Cachelin	Repair Privacy Fence	-	05/07/14	-	< 500	07/07/14
R51-14	05/12/14	Carla Hunter	101 CLC	Replace gravel w/concrete	23.00	05/15/14	12338	3,000.00	08/12/14
R52-14	05/12/14	Burton Plumbing	60 Marina Ct	Replace A/C unit	27.00	05/13/14	12335	6,500.00	07/12/14
R53-14	05/12/14	Burton Plumbing	1326 Holiday Dr	Elec. Panel/Bathroom wiring	51.50	05/19/14	12381	4,900.00	07/12/14
R54-14	05/13/14	Tammy Blankenfeld	1501 Cachelin	Service reconnect	25.00	05/12/14	12329	200.00	07/01/14
R55-14	05/13/14	Joe/Theresa Hawkins	1001 Willow Dr	Fence	15.00	05/13/14	12365	2,000.00	08/13/14
R56-14	05/15/14	Al / Melissa Zweerink	1406 Cedar St	Inground Pool	60.00	05/15/14	12373	12,000.00	09/15/14
R57-14	05/19/14	Apollo Heating/Air	4423 N 17th St	Replace furnace & A/C	38.00	05/19/14	12382	4,200.00	08/01/14
R58-14	05/20/14	Stan Olsen	1314 Ave N	Privacy/Picket Fence	15.00	05/20/14	12385	1,500.00	11/20/14
R59-14	05/21/14	John Bonacci	3510 N 9th #81	Replace 6 X 10	-	05/21/14	-	< 500	08/15/14
R60-14	05/21/14	Nicole Lewis	1102 Redick	Fence	15.00	05/23/14	12421	600.00	08/21/14
R61-14	05/22/14	Pyramid Roofing	2638 N 5th	Replace Roof	18.50	05/23/14	12422	5,162.00	08/22/14
R62-14	05/27/14	Jeromy Rodriguez	1511 Murry Ave	Install NG Garage Heater	25.00	05/27/14	12436	900.00	08/27/14
R62-14 Dup	05/29/14	SOS Heating & Clg	490 Coronado Cr	Replace heat pump & coil	27.00	05/30/14	12438	4,325.00	07/01/14
R63-14	05/29/14	Service One	1015 Shoal Point Dr	Replace furnace & a/c	42.00	05/30/14	12439	6,000.00	07/01/14
R64-14	05/29/14	Aksarben Heating A/C	3716 N 9th	Replace furnace & A/C	42.00			9,998.00	07/01/14
R65-14	05/29/14	Kavalec Electric (Roy)	4330 N 8th St	Add Elect, sub panel	25.00	05/30/14	12441	500.00	07/01/14

**Commercial**

C8-14	05/22/14	Piccolos Htg & Clg	1204 Locust	Replace A/C Unit	100.00	05/23/14	12423	3,500.00	07/01/14
C9-14	05/01/14	Boyd Jones	500 Ave H	New Building	30,592.00	05/22/14	12420	14,545,192.00	05/10/14

ORDINANCE NO. \_\_\_\_\_

**AN ORDINANCE TO AMEND THE UNIFIED LAND DEVELOPMENT ORDINANCES  
OF  
THE CITY OF CARTER LAKE**

BE IT ORDAINED BY THE CITY COUNCIL OF  
THE CITY OF CARTER LAKE, IOWA

Section 1. That the Unified Land Development Ordinances of the City of Carter Lake Iowa are hereby amended to include new Section 20A, "P-I/ Planned Industrial District", which shall read as follows:

**20A01 PURPOSE.** 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 the planning commission.

**20A02 SITE DEVELOPMENT REGULATIONS.** Minimum tract size, lot size, setback requirements, height, lot coverage, signage and landscaping shall be determined through the development plan review procedures described in this chapter. The components of an approved development plan shall prevail over conflicting standards or regulations elsewhere in this title.

**20A03 DEVELOPMENT PLAN REVIEW PROCEDURE.**

The development plan review procedure shall be as follows:

A. Application. Applications for approval must conform to the application requirements applicable to a MU (Mixed Use District), with the following additions:

1. A letter of intent stating the proposed uses, improvements necessary to serve the development, construction time frame and proposed phasing of the project;
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. All established floodway or floodway fringe encroachment limits;
6. A soils and drainage report prepared by the engineer. The report shall show the general soil and drainage conditions and include preliminary recommendations pertaining to the adaptability of the property proposed for development;
7. Proposed landscaping plan;
8. Proposed signage plan;
9. Architectural drawings, renderings, or other visual documents which illustrate proposed building design.

B. Review by Planning Board. The city planning board, in reviewing the development plan, shall take into consideration conformance with the comprehensive plan, recognized principles of land use planning, landscaping, 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 herein set forth, the board in recommending approval of the proposed development plan may recommend certain conditions to be attached to such use which the board 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 on the net square footage of signs, lot coverage limitations and/or height of buildings because of obstruction to view and reduction of light and air to adjacent property, required screening and landscaping where necessary to reduce noise and glare and designation of responsibility for maintenance of the property. Adoption of a district by the Planning Board shall otherwise conform to the rules for adoption of a MU or PUD overlay district.

C. Review by City Council. The recommendation of the Planning Board shall be transmitted to the City Council for final action. The City Council, after proper notice, shall hold a public hearing and act upon any ordinance establishing a P-I district. Proper notice shall mean the same notice established for any other zoning amendment.

D. Building Permit Review. The Building Inspector shall review all building and public works construction permits for compliance with the approved development plan. No building or public works construction permit shall be issued if it is determined by the Building Inspector to be inconsistent with the approved development plan. However, the Building Inspector shall have the authority to approve minor changes to the development plan. If the Building Inspector determines that major changes are requested, review and approval by the Planning Board and City Council shall be required.

**20A04 SIGNS.**

In addition to the signage approved in the development plan, signage in this district shall comply with Section 27, "Sign Regulations."

**20A05 ADDITIONAL REGULATIONS.**

Business and industrial activities shall be primarily enclosed operations with significant screening and landscaping of exterior operations and storage.

SECTION 2. Table 4-1 (Use Matrix) of the Unified Land Development Ordinance of the City of Carter Lake, Iowa, is amended to read as the attached Table.

SECTION 3. Repealer. All ordinances or parts of ordinances in conflict with the provisions of the ordinance are hereby repealed.

SECTION 4. Severability Clause. If any of the provisions of this Ordinance are for any reason declared illegal or void, the lawful provisions of this Ordinance which are severable from said unlawful provisions shall remain in full force and effect.

SECTION 5. Effective Date. This Ordinance shall be in full force and effect from and after its final passage and publication.

Attest:

PASSED  
AND \_\_\_\_\_, 2014  
APPROVED

\_\_\_\_\_  
DOREEN MOWERY, City Clerk

\_\_\_\_\_  
GERALD WALTRIP, Mayor

The undersigned as City Clerk of Carter Lake, Iowa does hereby certify that on \_\_\_\_\_, 2014, I posted true and exact copies of the foregoing ordinance in four public places to-wit: City Hall, Carter Lake Hardware, Peoples National Bank and Owen Memorial Library all within the limits of the City of Carter Lake, Iowa.

\_\_\_\_\_  
DOREEN MOWERY, City Clerk

FIRST CONSIDERATION: \_\_\_\_\_

SECOND CONSIDERATION: \_\_\_\_\_

THIRD CONSIDERATION: \_\_\_\_\_

**414 Pole Buildings**

No pole buildings shall be erected on any lot in Carter Lake without regard to the zoning of said lot. "Pole Building" is defined as a structure with wooden or metal poles as main supports, without a continuing permanent foundation, with studs, which are greater than 16 inches off of center, and with siding made of metal and/or wood material.

**Table 4-1: Use Matrix: Agricultural and Residential Types**

Use Types	R-1	R-2	R-3	R/ CC	RM	C/L	C-1	C-2	TC	C/A	BP	M-1	M-2	P-1
<b>Agricultural Uses</b>														
Horticulture						P	P	P				P	P	
Crop Production														
Animal Production														
Commercial Feedlots														
Livestock Sales														
<b>Residential Uses</b>														
Single-Family Detached	P	P	P	P	P									
Single-Family Attached	P	P	P	P										
Duplex	P	P	P											
Townhouse		P	P						C					
Multiple-Family*			P						C					
Manufactured Housing Residential	P	P	P	P	P									
Mobile Home Park*					P									
Mobile Home Subdivision*					P									
Retirement Residential*	C	C	P				P	P	C					

**P** Permitted by right or by right subject to supplemental regulations

**C** Permitted by Conditional Use Permit

**\*** Use Permitted after Site Plan Approval

**Blank** Use not permitted in zoning district, unless established as a lawful nonconforming use

Zoning District Regulations

Use Matrix: Civic Use Types

Use Types	R-1	R-2	R-3	R/CC	RM	C/L	C-1	C-2	TC	C/A	BP	M-1	M-2	P-I
<b>Civic Uses</b>														
Administration						P	P	P	P	P	P	P	P	P
Clubs (Recreational)*	C	C	C	C	C	P	P	P	C	P	C	P	P	
Clubs (Social)*	C	C	C	C	C	P	P	P	P	P	P	P	P	
College/Univ*						P	P	P	P	P	P	P		
Convalescent Services		C	P		C	P	P	P	C					
Cultural Services	C	C	P	C	C	P	P	P	P	P	P	P		
Day Care (Limited)	P	P	P	P	P	P	P	P	P	C	C	C	C	C
Day Care (General) *	C	C	P	C	C	P	P	P	P	P	P	C	C	C
Elder Home	C	C	P	C	C	P								
Emergency Residential	C	C	P	C	C	P	P	P	P					
Family Home	C	C	P	C	C	P	P							
Group Care Facility*			P			P	P	P	P	P				
Group Home		C	P			P	P	P	P	P				
Guidance Services						P	P	P	P	P	P	C	C	
Health Care						P	P	P	P	P	P	C	C	
Hospitals*			C			C	C	C	P	P	P	C	C	
Maintenance Facility*						C		C		C		P	P	
Park and Recreation	P	P	P	P	P	P	P	P	P	P	P	P	P	
Postal Facilities						C	P	P	P	P	P	P	P	
Primary Education*	P	P	P		P	P	P	P	P	C				
Public Assembly*						C	C	C	P	P	C			
Religious Assembly*	P	P	P		P	P	P	P	P	P		C		
Safety Services	P	P	P	P	P	P	P	P	P	P	P	P	P	
Secondary Educ*	C	C	P		C	P	C	C	C	C				
Utilities*	C	C	C	C	C	C	C	C	C	P		P	P	P

**P** Permitted by right or by right subject to supplemental regulations

**C** Permitted by Conditional Use Permit

\* Use Permitted after Site Plan Approval

**Blank** Use not permitted in zoning district, unless established as a lawful nonconforming use

Zoning District Regulations

Use Matrix: Office and Commercial Use Types

Use Types	R-1	R-2	R-3	R/CC	RM	C/L	C-1	C-2	TC	C/A	BP	M-1	M-2	Addl Reg
<b>Office Uses</b>														
Corporate Offices*			C			P	P	P	P	P	P	P	P	P
General Offices			C			P	P	P	P	P	P	P	P	P
Financial Offices*			C			P	P	P	P	P	P	P	P	P
Medical Offices*			C			P	P	P	P	P	P	P	C	
<b>Commercial Uses</b>														
Ag Sales/Service*								C				P	P	
Auto Services*						C	C	C				P	P	
Body Repair*								C				P	P	
Equipment Repair*								C				P	P	
Bed and Breakfast						P	P	P	P	P				**
Business Support Services						P	P	P	P	P	P	P	P	P
Business/Trade School						C	C	P	P	P	P	P	P	
Campground*														**
Cocktail Lounge						C	C	C	C	C	C	C	C	
Commercial Rec* (Indoor)						C	C	P	P	P	P	P	P	
Commercial Rec* (Outdoor)										P		P	P	
Communication Service						P	P	P	P	P	P	P	P	P
Construction Sale/Service*							C	C				P	P	P
Consumer Service						P	P	P	P	P	P	P		P
Convenience Storage*												P	P	P
Food Sales (Convenience)*						C	C	C		C	C	P	P	
Food Sales (Limited)						P	P	P	P	P	P	P	P	

**P** Permitted by right or by right subject to supplemental regulations

**C** Permitted by Conditional Use Permit

\* Use Permitted after Site Plan Approval

**Blank** Use not permitted in zoning district, unless established as a lawful nonconforming use

\*\* Missouri River corridor

Zoning District Regulations

Use Matrix: Commercial (continued) and Parking Use Types

Use Types	R-1	R-2	R-3	R/CC	RM	C/L	C-1	C-2	TC	C/A	BP	M-1	M-2	Addl Reg
<b>Commercial Uses</b>														
Food Sales (General)						P	P	P	C	P	P	P	P	
Food Sales (Super markets)*						C	C	C	C	C	C	P	P	
Funeral Service			C			P	P	P		P		P	P	
Kennels*												P	P	
Laundry Services												P	P	
Liquor Sales						C	C	C	C	C	C	C	C	
Lodging*						P	P	P	P	P	P	C	C	
Personal Improvement						P	P	P	P	P	P	P	P	
Personal Services						P	P	P	P	P	P	P	P	
Pet Services						P	P	P	P	P	P	P	P	
Research Services						P	P	P	P	P	P	P	P	
Restaurants (Drive-in)*						C	C	P		P	C	C	C	
Restaurants (General)*						P	P	P	P	P	P	C	C	
Restricted Business														
Retail Services (Limited)						P	P	P	P	P	C			
Retail Services (Large)*						C	C	C	C	C	C	P	P	
Retail Services (Mass)*						C	C	C		C		P	P	
Stables*														
Surplus Sales*												C	C	
Trade Services						C	C	C				P	P	P
Veh. Storage (Short-term)*												C	C	
Veterinary Services						C	C	C	C	C	C	C	C	
<b>Parking Uses</b>														
Off-Street Parking*						C	C	C	C	C	C	P	P	P
Parking Structure*						C	C	C	C	C	C	P	P	P

**P** Permitted by right or by right subject to supplemental regulations

**C** Permitted by Conditional Use Permit

**\*** Use Permitted after Site Plan Approval

**Blank** Use not permitted in zoning district, unless established as a lawful nonconforming use

Zoning District Regulations

Use Matrix: Industrial and Transportation Uses

Use Types	R-1	R-2	R-3	R/CC	RM	C/L	C-1	C-2	TC	C/A	BP	M-1	M-2	Addl Reg
<b>Industrial Uses</b>														
Agricultural Industry*												C	C	
Auto rental/Sales*												C		
Construction Yards*												C	C	
Custom Manufacturing						C		C	C	C		P	P	P
Equip Rental/Sales												C	C	P
Light Industry												P	P	P
General Industry*												P	P	C
Heavy Industry*													C	
Recycling Collection*													C	
Recycling Processing*													C	
Vehicle Storage (Long-term)*												C	C	
Warehousing (Enclosed)												P	P	
Warehousing (Open)*												C	C	P
Aviation*											C	C	P	
Railroad Facilities													C	
Truck Terminal*												C	P	P
Transportation Terminal*								P		P		P	P	P
Alternative Energy Production Devices													C	
Amateur Radio Tower	C	C	C	C	C									
Communications Tower*												C	C	C
WECS*													C	

**P** Permitted by right or by right subject to supplemental regulations

**C** Permitted by Conditional Use Permit

\* Use Permitted after Site Plan Approval

**Blank** Use not permitted in zoning district, unless established as a lawful nonconforming use

Council Bluffs, Iowa, Code of Ordinances >> Title 15 - ZONING\* >> Chapter 15.19 P-I/PLANNED INDUSTRIAL DISTRICT >>

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Chapter 15.19 P-I/PLANNED INDUSTRIAL DISTRICT

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**Sections:**

- [15.19.010 Statement of intent.](#)
- [15.19.020 Principal uses.](#)
- [15.19.030 Conditional uses.](#)
- [15.19.040 Accessory uses.](#)
- [15.19.050 Site development regulations.](#)
- [15.19.060 Development plan review procedure.](#)
- [15.19.470 Signs.](#)
- [15.19.080 Additional regulations.](#)

**15.19.010 Statement of intent.**

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 the planning commission.

*(Ord. 5688 § 1 (part), 2002).*

**15.19.020 Principal uses.**

The following principal uses shall be permitted outright in a P-I district:

- (1) Business, professional office;
- (2) Business goods and service establishment;
- (3) Equipment sales and rental;
- (4) General government use;
- (5) Local utility services;
- (6) Manufacturing, light;
- (7) Warehousing and distribution, limited.

*(Ord. 5688 § 1 (part), 2002).*

**15.19.030 Conditional uses.**

The following conditional uses shall be permitted in a P-I district in accordance with the requirements set forth in Chapter 15.27:

- (1) Communication tower;
- (2) Manufacturing, general;
- (3) Day care services.

*(Ord. 5688 § 1 (part), 2002).*

### **15.19.040 Accessory uses.**

The following accessory uses shall be permitted in a P-I district:

- (1) Uses of land or structures customarily incidental and subordinate to one of the principal uses in the P-I district, unless otherwise excluded.

*(Ord. 5688 § 1 (part), 2002).*

### **15.19.050 Site development regulations.**

Minimum tract size, lot size, setback requirements, height, lot coverage, signage and landscaping shall be determined through the development plan review procedures described in this chapter. The components of an approved development plan shall prevail over conflicting standards or regulations elsewhere in this title.

*(Ord. 5688 § 1 (part), 2002).*

### **15.19.060 Development plan review procedure.**

The development plan review procedure shall be as follows:

- (1) Application. A completed application form and ten (10) copies of the development plan along with the required fee shall be submitted to community development department. The development plan shall be reviewed in accordance with the procedures outlined below. The following information shall be submitted to the community development department:
  - (A) A letter of intent stating the proposed uses, improvements necessary to serve the development, construction time frame and proposed phasing of the project;
  - (B) The development name and legal description of the boundary;
  - (C) A north arrow, scale, bar scale and date;
  - (D) The names and addresses of the owner, and the architect or engineer preparing the plan;
  - (E) 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;
  - (F) All established floodway or floodway fringe encroachment limits;
  - (G) A soils and drainage report prepared by the engineer. The report shall show the general soil and drainage conditions and include preliminary recommendations pertaining to the adaptability of the property proposed for development;
  - (H) Location and size of any sites to be considered for dedication for public use;
  - (I) Layout, numbers and dimensions of all proposed lots;
  - (J) 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;
  - (K) The location and width of other public ways, railroad right of ways, utility and all other easements, existing or proposed within the development and within two hundred (200) feet;
  - (L) Existing and proposed contour intervals of not more than five feet;
  - (M) All existing and proposed underground installations within the proposed development or adjacent thereto or the location of the nearest available facilities;
  - (N) The location of all existing and proposed structures, proposed parking areas, pedestrian

- ways, private and public streets and landscaping;
- (O) Proposed landscaping plan;
  - (P) Proposed signage plan;
  - (Q) On projects twenty (20) acres or more in area, or as deemed necessary by the community development director, a traffic impact study to include: (i) data on existing peak hour traffic volumes and conditions; (ii) directional distribution estimates of added traffic; (iii) projections of added traffic volumes for all of the appropriate critical hours; determination of needed improvements, controls, driving locations, and their design; (iv) and identification of any need for additional right-of-way which could be secured from the developer, shall be submitted;
  - (R) Architectural drawings, renderings, or other visual documents which illustrate proposed building design.

The community development department director shall determine the adequacy and completeness of the development plan application. The community development department director may require additional information prior to scheduling review by the city planning commission.

- (2) Review by 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, landscaping, 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 herein 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 on the net square footage of signs, lot coverage limitations and/or height of buildings because of obstruction to view and reduction of light and air to adjacent property, required screening and landscaping where necessary to reduce noise and glare and designation of responsibility for maintenance of the property.
- (3) 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.
- (4) Building Permit Review. The community development department director shall review all building and public works construction permits for compliance with the approved development plan. No building or public works construction permit shall be issued if it is determined by the community development department director to be inconsistent with the approved development plan. However, the community development department director shall have the authority to approve minor changes to the development plan. If the community development department director determines that major changes are requested, review and approval by the city planning commission and city council shall be required.

*(Ord. 5688 § 1 (part), 2002).*

### **15.19.470 Signs.**

In addition to the signage approved in the development plan, signage in this district shall comply with Chapter 15.33, "Signs."

*(Ord. 5688 § 1 (part), 2002).*

**15.19.080 Additional regulations.**

Business and industrial activities shall be primarily enclosed operations with significant screening and landscaping of exterior operations and storage.

*(Ord. 5688 § 1 (part), 2002).*

Council Bluffs, Iowa, Code of Ordinances >> Title 15 - ZONING\* >> Chapter 15.20 I-1/LIGHT INDUSTRIAL DISTRICT >>

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Chapter 15.20 I-1/LIGHT INDUSTRIAL DISTRICT

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**Sections:**

- [15.20.010 Statement of intent.](#)
- [15.20.020 Principal uses.](#)
- [15.20.030 Conditional uses.](#)
- [15.20.040 Accessory uses.](#)
- [15.20.050 Site development regulations.](#)
- [15.20.060 Additional regulations.](#)
- [15.20.070 Signs.](#)

**15.20.010 Statement of intent.**

The I-1 district is intended to provide for the development of light manufacturing and industrial areas. This district also accommodates a mixture of commercial services and light industrial uses with relatively limited external effects.

*(Ord. 5366 § 3 (part), 1998).*

**15.20.020 Principal uses.**

The following principal uses shall be permitted in a I-1 district:

- (1) Agricultural sales and service;
- (2) Auction;
- (3) Auction indoor;
- (4) Automobile repair, minor and major;
- (5) Automobile sales and rental;
- (6) Automobile service establishment;
- (7) Building material, sale and storage;
- (8) Business, professional office;
- (9) Business service establishment;
- (10) Commercial storage;
- (11) Consumer service establishment;
- (12) Contractor shop;
- (13) Equipment sales and rental;
- (14) Financial services;
- (15) General government use;
- (16) Governmental maintenance facility;
- (17) Greenhouse, commercial;
- (18) Hotel/motel;
- (19) Kennel, commercial;
- (20) Local utility service;

- (21) Manufacturing, light;
- (22) Private parking lot;
- (23) Public parking lot;
- (24) Public safety services;
- (25) Retail shopping establishment;
- (26) Tavern;
- (27) Warehousing and distribution, limited.

(Ord. 5557 § 1, 2001).

(Ord. No. 6147, § 1, 2-13-2012).

**15.20.030 Conditional uses.**

The following conditional uses shall be permitted in an I-1 district in accordance with the requirements set fogy in Chapter 15.27:

- (1) Correctional placement residences;
- (2) Day care services;
- (3) Detention facility;
- (4) Equipment repair;
- (5) Truck service establishment;
- (6) Truck terminal.

(Ord. 5557 § 2, 2001).

**15.20.040 Accessory uses.**

The following accessory uses shall be permitted in an I-1 district: (1) Uses of land or structure customarily incidental and subordinate to one of the principal uses, unless otherwise excluded.

(Ord. 5366 § 3 (part), 1998).

**15.20.050 Site development regulations.**

**Minimum Lot Size**

Lot area:	10,000 square feet
Lot width:	75 feet
Lot depth:	100 feet

Minimum Setbacks	All Structures
Front yard:	25 feet
Interior yard:	10 feet
Street side yard:	15 feet
Rear yard:	10 feet
Maximum height:	50 feet
Lot coverage, all structures:	60% maximum

*(Ord. 5366 § 3 (part), 1998).*

#### **15.20.060 Additional regulations.**

- (1) No tavern shall be located within two hundred (200) feet of any school or religious building, public park, or any conforming residential use. Distance shall be measured between the closest points from lot line to lot line.

*(Ord. 5366 § 3 (part), 1998).*

#### **15.20.070 Signs.**

Signage in this district shall comply with Chapter 15.33, Signs.

*(Ord. 5366 § 3 (part), 1998).*

Council Bluffs, Iowa, Code of Ordinances >> Title 15 - ZONING\* >> Chapter 15.21 I-2/GENERAL INDUSTRIAL DISTRICT >>

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Chapter 15.21 I-2/GENERAL INDUSTRIAL DISTRICT

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**Sections:**

[15.21.010 Statement of intent.](#)

[15.21.020 Principal uses.](#)

[15.21.030 Conditional uses.](#)

[15.21.040 Accessory uses.](#)

[15.21.050 Site development regulations.](#)

[15.21.060 Additional regulations.](#)

[15.21.070 Signs.](#)

**15.21.010 Statement of intent.**

This 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.

*(Ord. 5366 § 4 (part), 1998).*

**15.21.020 Principal uses.**

The following principal uses shall be permitted in the I-2 district:

- (1) Agricultural sales and service;
- (2) Auction;
- (3) Auction indoor;
- (4) Automobile repair, minor and major;
- (5) Automobile sales and rental;
- (6) Automobile service establishment;
- (7) Building material, sale and storage;
- (8) Business service establishment;
- (9) Commercial storage;
- (10) Contractor shop;
- (11) Data center;
- (12) Equipment repair;
- (13) Equipment sales and rental;
- (14) Governmental maintenance facility;
- (15) Greenhouse, commercial;
- (16) Local utility service;
- (17) Manufacturing, light and general;
- (18) Private parking lot;
- (19) Public parking lot;
- (20) Public safety services;
- (21) Railroad yard and intermodal facilities;

- (22) Sign manufacturing;
- (23) Tavern;
- (24) Truck service establishment;
- (25) Truck terminal;
- (26) Warehousing and distribution, limited and general.

(Ord. 5957 § 1, 2007).

(Ord. No. 6148, § 1, 2-13-2012).

### 15.21.030 Conditional uses.

The following conditional uses shall be permitted in an I-2 district, in accordance with the requirements set forth in Chapter 15.27:

- (1) Contractor yard;
- (2) Correctional placement residences;
- (3) Day care services;
- (4) Detention facility;
- (5) Grain storage and distribution;
- (6) Rubble dump;
- (7) Salvage operations;
- (8) Storage yard;
- (9) Emergency shelter and homeless service center;
- (10) Commercial recreation (indoor);
- (11) Meat packing and processing.

(Ord. 5957 § 2, 2007).

### 15.21.040 Accessory uses.

The following accessory uses shall be permitted in an I-2 district:

- (1) Uses of land or structure customarily incidental and subordinate to one of the principal uses, unless otherwise excluded.

(Ord. 5366 § 4 (part), 1998).

### 15.21.050 Site development regulations.

#### Minimum Lot Size

Lot area	15,000 square feet
Lot width	75 feet
Lot depth	150 feet

Minimum Setbacks	All Structures
Front yard	15 feet

Interior yard	10 feet
Street side yard	10 feet
Rear yard	10 feet
Maximum height	75 feet
Lot coverage, all structures	70% maximum

*(Ord. 5957 § 3, 2007).*

#### **15.21.060 Additional regulations.**

- (1) No tavern shall be located within two hundred (200) feet of any school or religious building, public park, or any conforming residential use. Distance shall be measured between the closest points from lot line to lot line.

*(Ord. 5366 § 4 (part), 1998).*

#### **15.21.070 Signs.**

Signage in this district shall comply with Chapter 15.33, Signs.

*(Ord. 5366 § 4 (part), 1998).*

Council Bluffs, Iowa, Code of Ordinances >> Title 15 - ZONING\* >> Chapter 15.22 I-3/HEAVY INDUSTRIAL DISTRICT >>

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## Chapter 15.22 I-3/HEAVY INDUSTRIAL DISTRICT

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### Sections:

- [15.22.010 Statement of intent.](#)
- [15.22.020 Principal uses.](#)
- [15.22.030 Conditional uses.](#)
- [15.22.040 Accessory uses.](#)
- [15.22.050 Site development regulations.](#)
- [15.22.060 Additional regulations.](#)
- [15.22.070 Signs.](#)

### 15.22.010 Statement of intent.

The I-3 district is intended to provide areas of the city for activities and uses of a heavy industrial character. This district is designed to accommodate industrial uses which have significant external effects. These uses typically have operating characteristics and environmental effects that make them incompatible with surrounding uses. The I-3 district is most appropriately located in areas that are separated from residential and consumer-oriented commercial districts.

*(Ord. 5958 § 1, 2007).*

### 15.22.020 Principal uses.

The following principal uses shall be permitted outright in an I-3 district:

- (1) Agricultural sales and service;
- (2) Chemical plant;
- (3) Electric utility generation facility;
- (4) Governmental maintenance facility;
- (5) Grain storage and distribution;
- (6) Horticulture and crop production;
- (7) Local utility service;
- (8) Manufacturing, general and heavy;
- (9) Railroad yard and intermodal facilities;
- (10) Sign manufacturing;
- (11) Truck service establishment;
- (12) Truck terminal;
- (13) Warehousing and distribution, limited and general.

*(Ord. 5958 § 2, 2007).*

### 15.22.030 Conditional uses.

The following conditional uses shall be permitted in an I-3 district in accordance with the requirements set forth in Chapter 15.27:

- (1) Rubble dump;
  - (2) Meat packing and processing.
- (Ord. 5958 § 3, 2007).

### 15.22.040 Accessory uses.

The following accessory uses shall be permitted in the I-3 district:

- (1) Uses of land or structure customarily incidental and subordinate to one of the principal uses, unless otherwise excluded.

(Ord. 5366 § 5 (part), 1998).

### 15.22.050 Site development regulations.

#### Minimum Lot Size

Lot area	5 acres
Lot width	300 feet
Lot depth	600 feet

Minimum Setbacks	All Structures
Front yard	30 feet
Interior yard	20 feet
Street side yard	20 feet
Rear yard	20 feet
Maximum height	300 feet
Lot coverage, all structures	70% maximum

;hn0s; (Ord. 5958 § 4, 2007).

### 15.22.060 Additional regulations.

The maximum height of a structure shall be as limited by Section 15.22.050, except in cases where smokestacks or towers are integral to a legally established electric utility generation facility. In such cases, the height shall be unlimited, provided an area equal to the maximum height of the tallest part of the structure can be maintained from all of the property lines of the parcel of land on which the facility is located.

(Ord. 5958 § 5, 2007).

### 15.22.070 Signs.

Signage in this district shall comply with Chapter 15.33, Signs.

(Ord. 5366 § 5 (part), 1998).

FOR OFFICE USE: CASE# \_\_\_\_\_  
Z.B.A. Public Hearing: \_\_\_\_\_  
Signs Issued: \_\_\_\_\_/\_\_\_\_\_/by\_\_\_\_\_

Receipt # \_\_\_\_\_  
Amount \$ \_\_\_\_\_  
By \_\_\_\_\_ Date \_\_\_\_\_

=====

APPLICATION FOR PLANNING BOARD AGENDA

- 1. APPLICANT: Fleetpark LLC Phone: \_\_\_\_\_  
Address: 222 S 15th Street \*Status: \_\_\_\_\_
- 2. REPRESENTED BY: Wayne Hoovestol Phone: 402-216-0222x204  
Address: 1641 S 186th Circle, Omaha NE 68130
- 3. STREET ADDRESS/LOCATION: 2200 Abbott Drive  
Carter Lake Iowa
- 4. LEGAL DISCRIPTION: Attached
- 5. OWNERS NAME: Info Group Inc, Lot 7 - Info USA Inc, Lots 9 & 10 - American Business Information, Lots 6 & 8
- 6. OWNERS ADDRESS: 5711 S 86th Circle, Omaha NE 68127
- 7. REASONS FOR REQUEST AND INTENDED USES: Dealer License and outdoor storage of trucks.  
Explanation attached
- 8. ZONING DISTRICT: M-1
- 9. PRESENT USE: Office - Warehouse
- 10. COPY OF BLUEPRINTS OF INTENDED STRUCTURE. No structure changes intended.
- 11. ADMINISTRATIVE DECISION ISSUED: \_\_\_\_\_

FOR OFFICE USE

- 12. ATTACHED TO THE APPLICATION ARE:
  - a. Denied "Building Permit Application" form..... \_\_\_\_\_
  - b. Approves..... \_\_\_\_\_
  - c. Restrictions..... \_\_\_\_\_

THE FACTS PRESENTED ABOVE ARE TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE:

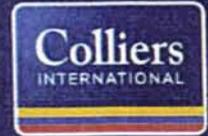
13. SIGNATURE: *Wayne Hoovestol* Date: 5-2-14  
TYPED OR PRINTED NAME: Wayne Hoovestol \*Status: \_\_\_\_\_

\*NOTE: P.O. = Property Owner C.P. = Contract Purchaser  
O.H. = Legal Optionholder A. = Owner's authorized agent

FOR SALE OR LEASE > OFFICE SPACE

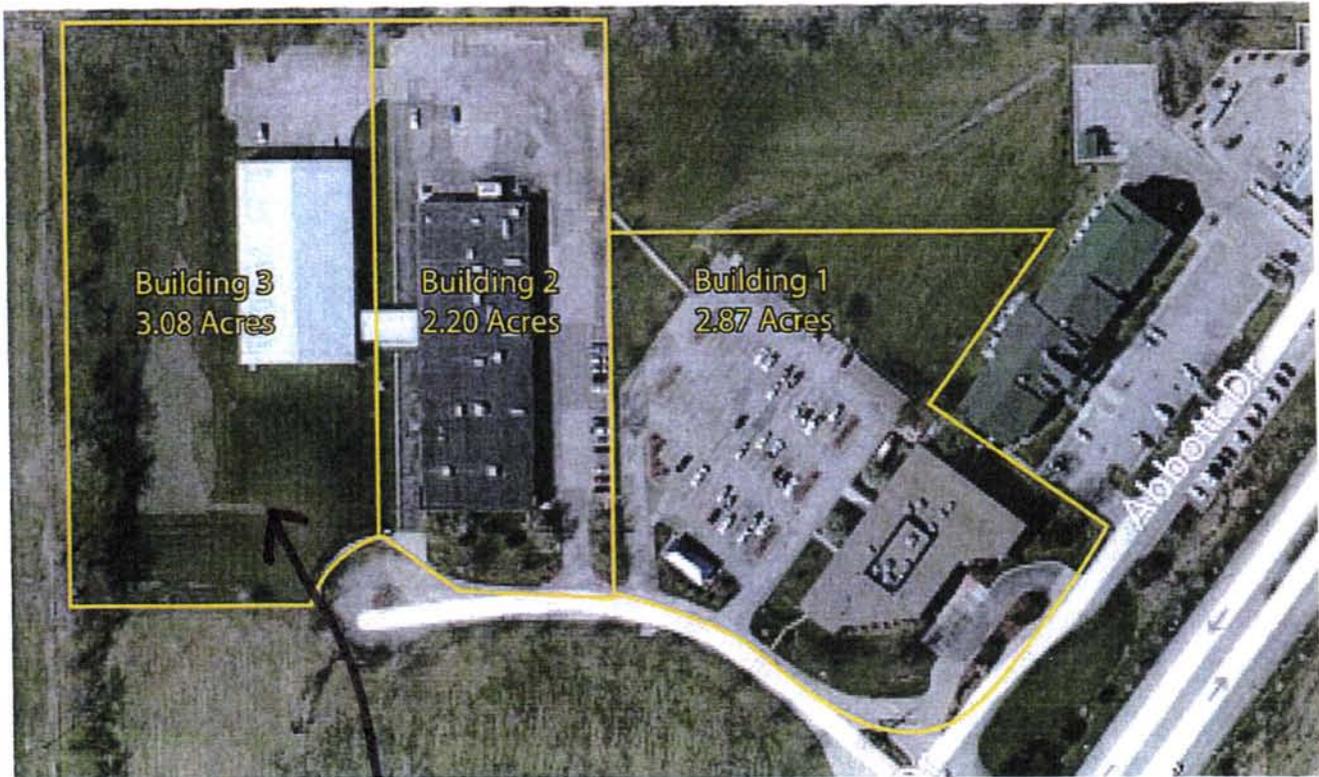
# CARTER LAKE EAST OFFICE BUILDING

2200 ABBOTT DRIVE, CARTER LAKE, NE 51510



Accelerating success.

Aerial



*Additional  
parking  
concrete*

### Contact us

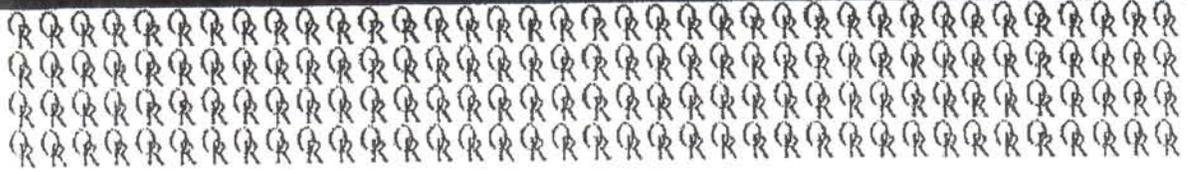
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COLLIERS INTERNATIONAL  
6464 Center Street | Suite 200  
Omaha, NE 68106  
www.colliers.com

COMMITMENT FOR TITLE INSURANCE  
SCHEDULE A



**5. The land referred to in this Commitment is described as follows:**

Lot Seven (7), Owen Parkway, being a platting of Auditor's Lot 25 in the Southwest Quarter of the Southwest Quarter of Section 21 and part of Auditor's Lot 3 in the Northwest Quarter of the Northwest Quarter of Section 28, all in Township 75 North, Range 44 West of the 5<sup>th</sup> P.M., Pottawattamie County, Iowa (Infogroup, Inc.)

Lots 9 and 10, in Owen Parkway, a Subdivision in Carter Lake, Pottawattamie County, Iowa (infoUSA, Inc.)

Lots 6 and 8, in Owen Parkway, an Addition to the City of Carter Lake, Pottawattamie County, Iowa (American Business Information, Inc., a Delaware Corporation)

**IOWA PROJECT QUESTIONNAIRE****1. Describe the company, its products, and the customer base:**

Cresco Capital, Inc. /Lone Mountain Truck Leasing provides financing to owner operators pursuing ownership of a semi-truck(s) to operate their business in the United States. Although we have a dealer license, virtually all of the trucks are leased to our customers and the titled ownership remains as Cresco Capital until the end of the lease, usually three to four years. Owner operators approved for financing will travel from long distances throughout the United States to choose from both used and new trucks located at any of the three Lone Mountain Truck Leasing locations. Current locations include: Pacific Junction, IA; Las Vegas, NV; and Tifton, GA. Each Lone Mountain Truck Leasing location also includes a maintenance center used to prepare trucks for leasing. These centers do not provide maintenance services to non-leasing customers.

The proposed Carter Lake, IA facility will combine the Credit, Customer Service, and Administration services of Cresco Capital with a new Lone Mountain Truck Leasing center. This new location will be the headquarters of the combined company and eliminate the Cresco Capital location in Omaha, NE and the Lone Mountain Truck leasing location in Pacific Junction, IA.

**2. Describe the project including locations (city/county), proposed project activities, and estimated start date:**

We plan to utilize the Info USA buildings for our corporate headquarters offices, currently about 50 people. In addition we will utilize the current warehouse building for truck maintenance and cleanup work, to prepare the trucks we purchase for sale/lease. This is currently about 12 people. We plan to do some renovation to the offices, as well as create more outside parking areas for trucks, mostly around the current warehouse in the back of the property.