City Council Communication

Department: Community Development CASE # ZC-23-010 Applicant/Property Owner: Brian Cadwallader 206 North Millard Street Council Bluffs, IA 51503	Ordinance No. _____	1st Consideration: 7/24/2023 2nd Consideration: 8/14/2023 3rd Consideration: 8/28/2023 Planning Commission: 7/11/2023

Subject/Title

Request: Public hearing on the request of Brian and Jayme Cadwallader, represented by Rachelle Edwards, to rezone property legally described as all of Lots 1 through 4, and Lot 5, except the West 2.00 feet thereof, all in Block 4, Everett's Addition; Lots 1 and 2, except the South 32.00 feet thereof, all of Lots 3 and 4, and Lots 5 and 6, except the South 70.00 feet thereof, all in Block 26, Beer's Addition; along with the vacated West ½ of the east/west alley in said Block 26, Beer's Subdivision, City of Council Bluffs, Pottawattamie County, Iowa, from C-2/Commercial District and R-2/Two-Family Residential District to R-3/Low Density Multifamily Residential District.

Location: 106 South 17th Street

Background

The Community Development Department has received a request from Brian and Jayme Cadwallader, represented by Rachelle Edwards (Heartland Properties) to rezone property legally described as all of Lots 1 through 4, and Lot 5, except the West 2.00 feet thereof, all in Block 4, Everett's Addition; Lots 1 and 2, except the South 32.00 feet thereof, all of Lots 3 and 4, and Lots 5 and 6, except the South 70.00 feet thereof, all in Block 26, Beer's Addition; along with the vacated West ½ of the east/west alley in said Block 26, Beer's Subdivision, City of Council Bluffs, Pottawattamie County, Iowa, from C-2/Commercial District and R-2/Two-Family Residential District to R-3/Low Density Multifamily Residential District.

The north half of the property is zoned C-2/Commercial District and was historically utilized as a can redemption center for the former No Frills Supermarket at 1801 West Broadway Street. The southerly portion of the subject property is zoned R-2/Two-Family Residential District and historically served as an access point and vehicle parking for said can redemption center. The applicant has requested to rezone the subject property from C-2/Commercial District and R-2/Two-Family Residential District to R-3/Low Density Multifamily Residential District in order to market the property as a residential development site along 1st Avenue.

Land Use and Zoning

The following zoning and land uses surround the subject property:

- North: A medical office, gas station, and a retail shopping establishment all zoned C-2/Commercial District
- South: Residential dwellings zoned R-2/Two-Family Residential District, and one residential dwelling zoned C-2/Commercial District.
- East: A contractor shop zoned C-2/Commercial District, and residential dwellings zoned R-2/Two-Family Residential District.
- West: A contractor shop and professional office zoned C-2/Commercial District, and residential dwellings zoned R-2/Two-Family Residential District.

A location/zoning map is included with this report as Attachment 'A'.

The future land use plan of the Bluffs Tomorrow: 2030 (Comprehensive Plan) designates the subject property as a mixture of "High Density Residential' and 'Low-Density Residential.'

Public notices were mailed to all property owners within 200 feet of the request. No comments have been received as of the writing of this report.

All City Departments and local utilities were notified of the proposed rezoning. The following comments were received:

A. Council Bluffs Fire Department stated they have no comments for the request.
B. Council Bluffs Public Works stated they have no comments for the request.
C. Council Bluffs Water Works stated they have no comments for the request.

Discussion

A. The subject property is located within the West Broadway Corridor Design Overlay, which is intended to *"promote a well-planned and visually attractive corridor that encourages private investment, opportunities for multi-modal transportation options, safe pedestrian access and walkability, improved traffic and parking conditions, and buildings constructed with high quality materials and timeless architectural design. These measures intend to enhance streetscapes, promote active public spaces, and encourage a mixture of land uses that collectively implement the vision of the adopted West Broadway Corridor Plan".* The request to rezone the subject property from a mixture of C-2/Commercial District and R-2/Two-Family Residential District to R-3/Low Density Multifamily Residential District is consistent with the intent of the West Broadway Corridor Design Overlay. Additionally, the R-3 District allows the subject property to be redeveloped with a variety of residential uses (i.e., two-family, townhomes, and multi-family) that implements the long-term vision of establishing a safe, walkable, and pedestrian oriented built environment within the West Broadway Corridor and along 1st Avenue.
B. The subject property contains 1.5 acres of land, which exceeds the minimum lot size requirements for a single-family residential dwelling, two-family dwelling, townhome, and multi-family dwelling in an R-3 District. If rezoned, the subject property has enough land area to allow a maximum of 33 multi-family dwelling units, as per minimum lot size requirements of the R-3 District.
C. If the proposed rezoning is approved, any new development that occurs on the subject property shall conform to Section 15.10, *R-3/Low Density Multifamily Residential District*, and Section 15.32A, *West Broadway Corridor Design Overlay*, of the Council Bluffs Municipal Code (Zoning Ordinance). Furthermore, due to the unique geometry of the subject property, it's possible a PR/Planned Residential Overlay may need to be appended to the subject property to allow a residential development project flexibility with building setbacks and off-street parking. The need for a PR Overlay on the subject property will be determined once a development proposal is submitted to the City for review.
D. The Bluffs Tomorrow 2030 (Comprehensive Plan) designates the subject property as a mixture of 'High Density Residential' and 'Low-Density Residential.' The R-3 District allows for a variety of housing typologies such as: detached single-family, attached single-family, townhomes, and multi-family dwellings. All of these housing typologies are generally consistent with the purpose and intent of the 'High Density Residential' and 'Low-Density Residential' designations stated in Chapter 5, *Land Use Plan*, of the Bluffs Tomorrow 2030 (Comprehensive Plan).
E. The subject property has access to water, sanitary sewer, and storm sewer utilities within South 17th Street and 2nd Avenues and is suitable for residential development.
F. Vehicular access to the subject property shall be limited to South 17th Street and 2nd Avenue in order to avoid any pedestrian conflicts with the abutting 1st Avenue trail.

Recommendation

The Community Development Department recommends approval of the request by Brian and Jayme Cadwallader, represented by Rachelle Edwards, to rezone property legally described as all of Lots 1 through 4, and Lot 5, except the West 2.00 feet thereof, all in Block 4, Everett's Addition; Lots 1 and 2, except the South 32.00 feet thereof, all of Lots 3 and 4, and Lots 5 and 6, except the South 70.00 feet thereof, all in Block 26, Beer's Addition; along with the vacated West ½ of the east/west alley in said Block 26, Beer's Subdivision, City of Council Bluffs, Pottawattamie County, Iowa, from C-2/Commercial District and R-2/Two-Family Residential District to R-3/Low Density Multifamily Residential District, based on reasons stated above.

Public Hearing

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

Speakers in favor: None

Speakers against: None

Speakers asking general questions: Diane Wilcox, 1730 2nd Avenue, Council Bluffs, IA 51501

The City Planning Commission recommended approval of the request by Brian and Jayme Cadwallader, represented by Rachelle Edwards, to rezone property legally described as all of Lots 1 through 4, and Lot 5, except the West 2.00 feet thereof, all in Block 4, Everett's Addition; Lots 1 and 2, except the South 32.00 feet thereof, all of Lots 3 and 4, and Lots 5 and 6, except the South 70.00 feet thereof, all in Block 26, Beer's Addition; along with the vacated West ½ of the east/west alley in said Block 26, Beer's Subdivision, City of Council Bluffs, Pottawattamie County, Iowa, from C-2/Commercial District and R-2/Two-Family Residential District to R-3/Low Density Multifamily Residential District.

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

Attachment

Attachment A: Location/zoning Map

Prepared by: Christopher N. Gibbons, AICP, Planning Manager, Community Development Department