City Council Communication

Department: Community Development CASE #ZC-23-014 and #MIS-23-009 Applicant: Garrett Smith Acadia Healthcare 6100 Tower Circle #1000 Franklin, TN 37067 Property Owner: CF Realty Group LLC 6457 Grances Street, Suite 100 Omaha, NE 68106 Representative: Adam Crunk Crunk Engineering LLC 7112 Crossroads Boulevard, Suite 201 Brentwood, TN 37027	Ordinance No. _____ Resolution No. _____	Case #ZC-23-014 1st Consideration: 10/23/2023 2nd Consideration: 11/13/2023 3rd Consideration: 11/27/2023 Case #MIS-23-009: 11/27/2023 Planning Commission: 10/10/2023

Subject/Title

Request: Combined public hearings on the request of Acadia Healthcare, represented by Garrett Smith, to rezone property legally described as the E ½ of the NE ¼ SE ¼ of Section 10-74-44, except for Richard Downing Avenue right-of-way, and Lot 2, South 24th and Highway 275 Industrial, City of Council Bluffs, Pottawattamie County, Iowa, from A-2/Parks, Estates, and Agricultural District to A-P/Administrative-Professional District; and to adopt the associated site-specific development plan for a new behavioral healthcare hospital on the subject property.

Location: Undeveloped property at the southwest corner of South 24th Street and Richard Downing Avenue

Background

The Community Development Department has received two applications from Acadia Healthcare, represented by Garrett Smith, for the following requests:

A. CASE #ZC-23-014: Rezone property legally described as the E ½ NE ¼ SE ¼ of Section 10-74-44, except for Richard Downing Avenue right-of-way, and Lot 2, South 24th and Highway 275 Industrial, City of Council Bluffs, Pottawattamie County, Iowa, from A-2/Parks, Estates, and Agricultural District to A-P/Administrative-Professional District; and

B. CASE #MIS-23-009: Adopt a site-specific development plan for a new behavioral health hospital on property legally described above.

Acadia Healthcare and Methodist Jennie Edmundson have formed a partnership to construct a new one-story 71,300 square-foot behavioral hospital on the subject property. The hospital will consist of 96 beds and will provide treatment for mood/thought disorders, geriatric behavioral health, substance-use disorder, child and adolescent behavioral health, and other related outpatient services. The purpose of the rezoning and site-specific development plan is to allow the applicant to master plan and construct their new hospital in a manner that

provides the best care and security for their patients and ensures the hospital is compatible with other properties in the surrounding area.

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The subject property is currently zoned A-2/Parks, Estates, and Agricultural District. The applicant intends to rezone the subject property to the A-P/Administrative-Professional District in order to construct a new behavioral hospital. A site-specific development plan is proposed to be adopted on the subject property in conjunction with the proposed rezoning (see Case #MIS-23-009).

Land Use and Zoning – The following zoning and land uses surround the subject property:

North: The Council Bluffs Recreation Complex, which is zoned A-2/Parks, Estates and Agricultural District.

South: A warehousing and distribution facility (Amazon Fulfillment Center) that is zoned I-1/Light Industrial District.

East: Undeveloped land that is zoned I-2/General Industrial District.

West: A commercial greenhouse (Dallas Johnson Greenhouse) and undeveloped land that is zoned A-2/Parks, Estates and Agricultural District.

The Future Land Use Plan of the Bluffs Tomorrow: 2030 Plan (Comprehensive Plan) designates the subject property as 'Regional Commercial.'

Property Owner Notification – Public notices were mailed to all property owners within 200 feet of the request. One notice addressed to the State of Iowa was returned as undeliverable. No public comments were received as of the date of this report.

City Departments and Utilities – All appropriate City departments and utilities were notified of the proposed planned commercial development plan. The following comments were received:

- Council Bluffs Fire Department stated they have no comments for the project.
- Council Bluffs Police Department stated they have no comments for the project.
- Council Bluffs Parks and Recreations Department recommended the applicant install a sidewalk along their South 24th Street frontage that extends from Richard Downing Avenue to the existing sidewalk at the Amazon Distribution Center (3860 South 24th Street).
- Council Bluffs Water Works stated they have no comments for the project.
- Cox Communications stated they have no objection to the proposed project.

Discussion

A. The applicant has requested to rezone the subject property from A-2/Parks, Estates, and Agricultural District to A-P/Administrative Professional Office District to construct a new 71,330-square foot behavioral hospital. Per Section 15.13.010, Statement of Intent, of the Council Bluffs Municipal Code (Zoning Ordinance) states the A-P District is *"intended and designed to provide, in certain areas of the city, for the development of professional and low-intensity business offices and uses in areas where residential dwellings predominate".* The subject property contains 23.47 acres of land and is located in the southwest quadrant of the City. This area can be generally described as a mixture of commercial, industrial, residential, and agricultural land uses. There are no medical services in this area of the City but there are many existing

residential developments located within a 1.5 mile radius of the site that could utilize the hospital's services. These developments include, but are not limited to, Twin City, The Grove Mobile Home Park, Chapel Ridge Apartments, Fox Run Landing, Lake Manawa, Malmore Acres, and residences along 23rd Avenue (between Indian Creek and S. 24th Street).

B. The future land use plan of the Bluffs Tomorrow: 2030 Plan designates the subject property as 'Regional Commercial'. This designation was applied to the property in 2019 (Case #CP-19-002) when Fleet Farm proposed to build one of their big box retail stores at the corner of Richard Downing Avenue and South 24th Street. Per the Bluffs Tomorrow: 2030 Plan, the 'Regional Commercial' designation is described as "*areas that include significant commercial development in high visibility areas, such as expressway interchanges and major destination centers. Uses in these areas include big-box retailers, casinos, franchise restaurants, and large multi-tenant shopping centers. Often, regional commercial centers are arranged around an internal circulation system with coordinated development".*

In most instances, the Regional Commercial designation is applied to properties in the City that are zoned PC/Commercial District and contain large shopping centers such as Marketplace, MetroCrossing, and Manawa Power Center. The A-P District often serves as a transitional zoning district between commercial areas and residential areas in the City. The land uses within the A-P District consist of a mixture of residential (single-family, two-family, and multi-family) and non-residential uses (i.e., business professional offices, hospitals, government uses, and colleges/universities). The non-residential uses in the A-P District have the regulatory ability to be similar in size and scale as commercial uses in the P-C District with the adoption of a master development plan. The applicant's proposal includes the adoption of a master development plan to ensure their behavioral hospital is designed in a manner that is compatible with existing land uses and development context of the surrounding South 24th Street area. For these reasons, the request to rezone the property to A-P District is determined to be generally consistent with the purpose and intent of the Regional Commercial land use plan designation.

C. The subject property contains 23.47 acres of land, which exceeds the minimum A-P/Administrative-Professional District lot size requirements. Additionally, the property will be owned by one entity and meets the minimum 1.5 acre lot size requirement to be eligible to adopt a site-specific development plan. All land development on the property shall comply with adopted site-specific development plan that is stated below (see Case #MIS-23-009).

D. The subject property has access to water, sanitary sewer, and storm sewer utilities within Richard Downing Avenue and/or South 24th Street rights-of-ways and is suitable for development.

E. The subject property is located with an 'X' Flood Zone (protected by levee) as per FEMA Flood Insurance Rate Map #19155C0560E, dated 2/4/2005. All development on the subject property shall comply with applicable Federal, State, and local floodplain development standards.

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Section 15.13.050, Site Development Regulations, A-P/Administrative-Professional District, of the Council Bluffs Municipal Code (Zoning Ordinance) states that "*any property, or combination of contiguous properties owned by the same person or entity, that are zoned A-P District and contain a minimum of one and one-half acres of total land area, shall be allowed to adopt a site specific development plan.*" The subject property contains 23.47 acres of total land area, thus is eligible for the adoption of a site-specific development plan. The applicant is proposing to adopt a site-specific development plan for the proposed behavioral hospital in order to provide the best care and security for their patients and ensure the hospital is compatible with other properties in the surrounding area. In the event the applicant were to subdivide the northerly portion of the subject property for

future development, the new lot would be subject to this development plan. If this development plan were not adequate for development on the new lot, the owner would have the option to adopt a new development plan.

A. Site Development

1. All principal and accessory structures shall have a minimum setback of 10 feet from all property lines.

2. The maximum height for principal structures shall be 50 feet, in accordance with Section 15.13.050, Site Development Regulations, A-P/Administrative-Professional District, of the Council Bluffs Municipal Code (Zoning Ordinance).

3. The maximum height for accessory structures shall be 18 feet, in accordance with Section 15.13.050, Site Development Regulations, A-P/Administrative-Professional District, of the Council Bluffs Municipal Code (Zoning Ordinance).

4. The maximum combined lot coverage for all structures shall not exceed 60% of the total lot area.

5. The stormwater detention pond located at the southeast corner of the lot shall be considered a site amenity. The developer shall incorporate landscaping, benches, trails or a combination thereof around the perimeter of this detention pond at the time of construction.

    a. A walking path will be installed around the perimeter of the detention pond, as shown in the submitted site plan (see Attachment 'F').

6. All fences shall be installed in accordance with Section 15.24.040, Fence Regulations, of the Council Bluffs Municipal Code (Zoning Ordinance). **Exception**: For security purposes, any fences/walls installed around the proposed courtyard areas on the subject property shall be allowed to measure up to 14 feet in height.

7. Any solar energy conversion systems installed at this site shall be subject to Section 15.34.030, Solar Energy Conversion Systems, of the Council Bluffs Municipal Code (Zoning Ordinance).

8. All outdoor light poles shall be limited to a maximum height of 25 feet, as measured from finished grade to the highest point of the pole structure. All light poles shall be painted or finished aluminum or steel. Wood poles shall not be allowed. All exterior lighting shall conform to Section 15.24.050, Lighting Controls, of the Council Bluffs Municipal Code (Zoning Ordinance).

9. Outdoor storage of materials, products, equipment, or packaging shall not be permitted. This includes the semi-permanent and/or permanent placement of inter-modal storage/shipping containers.

B. Traffic/Access Management

1. A traffic impact analysis/study shall be submitted to the Council Bluffs Public Works Department which identifies the viability of a second entrance/exit off South 24th Street and any potential improvements required for South 24th Street and Richard Downing Avenue.

2. The painted crosswalk just west of the north entrance/exit shall be relocated to the east at the entrance/exit.

3. A minimum five-foot wide sidewalk shall be installed along South 24th Street prior to the issuance of the Certificate of Occupancy for the proposed hospital.

4. A minimum five-foot wide pedestrian way shall be provided from the primary entrance of the proposed hospital to the sidewalk, to the extent practical. The pedestrian way may be designated with pavement striping, landscaping, change in surface material, curb and/or grade separation, or some other alternative approved by the Community Development Department Director or his assign. It is encouraged that the pedestrian connection be incorporated into the overall layout of the lot.

C. Utilities

1. The sewer easements shown in the submitted application shall be revised to incorporate the following:

   a. A 30-foot wide storm and sanitary sewer easement shall be placed along the north property line adjacent to Richard Downing Avenue; and

   b. A 20-foot wide storm sewer easement shall be placed along the south property line.

2. A drainage report for stormwater management shall be submitted to the Council Bluffs Public Works Department.

3. A Post-Construction Stormwater Management Plan shall be submitted with the building permit application for the proposed hospital.

4. An Iowa Department of Natural Resources (IDNR) General Permit #2 shall be required for the approval of the grading permit for this project.

5. All utilities shall be installed underground. Any cost to remove, relocate, modify, and/or extend utilities to this site shall be at the sole cost of the developer and not the City.

6. All grading and drainage activity for this development shall be completed in accordance with Public Works standards.

D. Off-Street Parking

1. The minimum number of off-street parking spaces shall be calculated using the parking requirements in Section 15.23.060, Parking Spaces Required, of the Council Bluffs Municipal Code (Zoning Ordinance). In cases where several uses occupy a structure or parcel of land, the total requirement for off-street parking shall be the sum of the requirement of the different uses.

   a. The minimum number of required off-street parking spaces for a 'hospital' is based on a calculation of one and a half (1 ½) parking spaces per bed, as per Section 15.23.060, Parking Spaces Required, of the Council Bluffs Municipal Code (Zoning Ordinance). The proposed hospital will contain 96 beds, which equates to a minimum of 144 required off-street parking spaces. The submitted site plan (see Attachment 'F') shows 177 parking spaces will be provided at this site, which exceeds minimum off-street parking requirements. An additional 86 spaces would be provided for a possible expansion of the hospital in the future.

2. All off-street parking areas, driveways and drive aisles shall comply with the standards in Chapter 15.23, Off-Street Parking, Loading and Unloading, of the Council Bluffs Municipal Code (Zoning Ordinance), and Iowa's Statewide Urban Design and Specifications (SUDAS) manuals for public improvements.

3. All off-street parking lots shall comply with Chapter 661–18, Parking for Persons with Disabilities, of the Iowa Administrative Code.

4. Bicycle parking shall be incorporated into the overall layout of the site.

    a. Designated bicycle parking areas shall be located within 50 feet of, and clearly visible from, the main entrance of the building.

    b. Bicycle racks shall be secured to the pavement in a location that does not conflict with pedestrian or vehicular circulation routes.

    c. Bicycle parking shall be provided at a rate of one bicycle parking space per 8,000 square feet of gross floor area.

        i. The proposed hospital will have a ground floor area of 71,300 square feet, which equates to a minimum of nine required bicycle parking spaces.

    d. Bicycle parking shall be installed prior to the issuance of the Certificate of Occupancy for the proposed hospital.

5. A parking lot permit shall be submitted with the building permit application for the proposed hospital, and shall include the number, location, and dimension of all drive aisles and spaces, bicycle parking, pedestrian ways, islands, landscaped areas, loading areas and lighting.

E. Architecture

1. Building exteriors shall be made up of 100% masonry materials such as brick, split faced block (with texture), non-flat faced concrete masonry units (CMU), or EFIS materials. Metal shall only be allowed as an architectural accent. A minimum of 20% of all building façades visible from a public street right-of-way or private drive shall be made of brick, stone or tile, and shall be located primarily along the base of the building façade. No flat faced/smooth concrete block shall be allowed except for the rear wall of a building when it is not visible from a public street right-of-way. Wood and vinyl siding shall be not allowed.

    a. The proposed building will be constructed primarily out of EIFS, modular face brick, and thin stone base, as per the submitted architectural renderings (see Sheets A7.1 through A7.4, Attachment ‘G’). The Community Development Department finds the proposed building exteriors are acceptable and shall be approved as shown.

2. All rooftop mounted mechanical equipment that is visible from an adjacent public street right-of-way shall be screened from view using architectural design features.

3. All ground-mounted mechanical equipment that is visible from an adjacent public street right-of-way shall be completely screened from view using architectural design features, fencing, masonry wall, landscaping, or a combination thereof.

4. All trash receptacles visible from a public right-of-way shall be enclosed on three sides with a masonry, wood, or vinyl fence and shall be have a lockable gate that, when closed, completely eliminates view of the dumpster.

F. Landscaping and Streetscapes

1. A landscaping plan shall be part of every building permit application. The plan shall clearly identify plant materials, quantity, and size and shall show dimensions of all areas to be landscaped.

    a. The Community Development Department finds the submitted landscaping plan (see Attachment 'H') is acceptable.

2. The existing row of trees planted along the westerly property line shall be preserved. In the event these trees have to be removed at the time of construction, they shall be replaced with a sufficient amount of trees to achieve a similarly opaque barrier within three years of planting.

3. The existing row of trees planted along South 24th Street provides a sufficient amount of street tree plantings and thus shall be preserved.

4. A minimum of one deciduous shade tree shall be planted every 30 linear feet along Richard Downing Avenue. Street tree plantings shall be as designated in the Council Bluffs Street Tree Species Guide.

5. Not less than 10% of the gross lot area shall be landscaped with trees, shrubs and other plant materials.

6. Not more than 10% of the landscaped area shall be of inorganic material such as brick, stone, aggregate, river rock, metal or artificial turf. Organic mulch may be used around trees and/or shrubs.

7. A minimum five foot-wide strip of landscaping, planted with trees, shrubs, and/or grass, shall be installed between the edge of all parking lot areas and any abutting property line. The five-foot wide strips may be included in the 10% requirement.

8. All parking lot islands shall be planted with a minimum of one canopy shade tree and ground cover vegetation (e.g., shrubs, sod, mulch, or river rock, etc.).

9. All disturbed areas without a specific landscape design shall be seeded with sod, turf, and/or prairie grass.

10. All trees shall have a minimum caliper width of two inches at the time of planting.

11. Landscaping shall not impede the vision of any automobile traffic entering/exiting or circulating on the subject property.

12. All landscaping shall be appropriately maintained and dead plant material replaced at a time appropriate to planting seasons but in all cases shall be replaced within one year.

G. Signage

1. The total maximum amount of signage allowed shall be based on a calculation of one and one-half (1 ½) square feet of signage per each lineal foot of street frontage along a public street right-of-way or private drive.

    a. Tobacco free/no-smoking signs shall be exempt from the overall amount of signage allowed on the subject property.

2. The total amount of attached signage shall be limited to 15% of the building façade to which it is attached. Attached signage can be placed at any location on the building but shall not extend beyond any building wall or above the peak of the roof.

    a. One attached wall sign will be installed on the south elevation of the building, as per the submitted signage plan (see Attachment 'I'). No signage calculations were provided with the application.

3. A maximum of one ground/monument sign shall be allowed on the subject property and shall be limited to a maximum height of 10 feet, as measured from finished grade to the highest point of the sign structure. The entire monument sign shall be counted as signage as measured from finished grade to the highest point of the monument and from one side of the monument structure to the other. The maximum sign area shall not exceed 100 square feet of signage per face.

    a. One monument sign will be installed near the northerly driveway entrance onto South 24th Street, as per the submitted signage plan (see Attachment 'I'). No signage calculations were provided with the application.

4. On-site directional signage shall count toward the overall amount of signage permitted on the subject property. Each sign shall be limited to a maximum height of six feet, as measured from finished grade to the highest point of the sign structure.

    a. Five directional signs will be installed on the subject property, as per the submitted signage plan (see Attachment 'I'). The proposed directional signs will have a combined area of 39.2 square feet. The Community Development Department finds the amount of on-site directional signage is acceptable.

5. No sign listed in Section 15.33.070, Prohibited Signs, of the Council Bluffs Municipal Code (Zoning Ordinance) shall be permitted.

6. A sign permit shall be submitted with every building permit application for any attached, detached and/or on-premise directional signage proposed to be installed on the subject property.

Recommendation

The Community Development Department recommends approval of the requests to (1) rezone property legally described as the E ½ of the NE ¼ SE ¼ of Section 10-74-44, except for Richard Downing Avenue right-of-way, and Lot 2, South 24th and Highway 275 Industrial, City of Council Bluffs, Pottawattamie County, Iowa, from A-2/Parks, Estates, and Agricultural District to A-P/Administrative-Professional District; and (2) adopt the associated site-specific development plan for a new behavioral healthcare hospital on the subject property, subject to the comments stated above and the following condition:

A. Any modifications to the approved development plan which substantially alter the design, layout, configuration, and/or appearance of the project shall be reviewed the City Planning Commission and approved by City Council prior to such changes being made. All minor modifications to the adopted development plan may be administratively approved by the Community Development Director.

Public Hearing

Staff speaker for the request:

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

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Speakers in favor:

1. Jeffrey E. Francis, Methodist Health System, 825 South 169th Street, Omaha, NE 68118

2. Miles D. Kramer, LCSW, Acadia Healthcare, 6100 Tower Circle, Suite 1000, Franklin, TN 37067

3. Charles A. Hill, AIA, LEED AP, Stengel Hill Architecture, 613 West Main Street, Louisville, KY 40202

4. Brad Lipsey, Crunk Engineering, 7112 Crossroads Boulevard, Suite 201, Brentwood, TN 37027

Speakers against: None

The City Planning Commission recommended approval of the requests to (1) rezone property legally described as the E ½ of the NE ¼ SE ¼ of Section 10-74-44, except for Richard Downing Avenue right-of-way, and Lot 2, South 24th and Highway 275 Industrial, City of Council Bluffs, Pottawattamie County, Iowa, from A-2/Parks, Estates, and Agricultural District to A-P/Administrative-Professional District; and (2) adopt the associated site-specific development plan for a new behavioral healthcare hospital on the subject property, subject to the comments stated above and the following condition:

A. Any modifications to the approved development plan which substantially alter the design, layout, configuration, and/or appearance of the project shall be reviewed the City Planning Commission and approved by City Council prior to such changes being made. All minor modifications to the adopted development plan may be administratively approved by the Community Development Director.

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

Attachments

Attachment A: Location/Zoning Map
Attachment B: Letter of Intent
Attachment C: Land Title Survey
Attachment D: Existing Conditions Exhibit
Attachment E: Grading, Drainage, and Utility Plan
Attachment F: Site Plan
Attachment G: Construction Plans
Attachment H: Landscaping Plan
Attachment I: Signage Plan

Prepared by: Christopher Gibbons, AICP, Planning Manager, and Moises Monrroy, Planner, Community Development Department