City Council Communication

Department: Community Development CASE #SUB-24-012 Applicant/Owner: Sapp Bros., Inc. 9915 S. 148th Street Omaha, NE 68138 Engineer/Surveyor: Jon McCarville Olsson, Inc. 2111 S. 67th Street, Suite 200 Omaha, NE 68106	Resolution No. _____	City Council: 1/27/2025

Subject/Title

Request: Public hearing on the request of Sapp Bros., Inc. for final plat approval of a four-lot minor subdivision to be known as Sapp Bros Truck Center, being legally described as a replat of Lots 1 and 2, Sapp Bros Travel Center, together with a part of the East ½ of the SE ¼, all in Section 3-74-44, and a part of Lots 6 through 10, Block 15, and part of Lots 1 through 10, Block 42, Railroad Addition, together with the north half of vacated 25th Avenue lying south of Block 42 and all of the vacated 24th Avenue lying between Blocks 15 and 42, in Section 2-74-44, all in City of Council Bluffs, Pottawattamie County, Iowa.

Location: 2608 S. 24th Street

Background/Discussion

The Community Development Department has received a request from Sapp Bros., Inc. for final plat approval of a four-lot minor subdivision to be known as Sapp Bros. Truck Center, being legally described in Attachment 'A'. The proposed subdivision is comprised of 56.67 acres, more or less, of land and includes the existing Sapp Bros Travel Center (2608 South 24th Street) and their surrounding landholdings.

Proposed Lot 1 measures 24.50 acres in size and contains the existing Sapp Bros. Travel Center, Blue Beacon Truck Wash, and 10 acres of undeveloped land. Proposed Lot 2 measures 4.06 acres in size and contains truck parking and undeveloped land. Proposed Lot 3 measures 19.91 acres in size and is currently undeveloped. Proposed Lot 4 measures 8.19 acres in size and is currently undeveloped. Upon approval of the final plat, the applicant plans to complete the following actions for land located within the subdivision:

A. Proposed Lot 1 – Rezone the westerly 10 acres from P-C/Planned Commercial District to I-2/General Industrial District so the land can be used for additional truck parking;

B. Proposed Lot 2 – Rezone the property from a mixture of C-2/Commercial District and P-C/Planned Commercial District to P-C District for zoning consistency purposes. The existing truck parking on said lot will be relocated to the westerly 10 acres on Lot 1 and then Sapp Bros. will market the land for sale to commercial developers;

C. Proposed Lot 3 – Sell to PedCor so they can develop the land with 240-units of LIHTC multi-family housing. The proposed housing development will require approval of a PC/Planned Commercial Development Plan by City Council, prior to issuance of any building permits; and

D. Proposed Lot 4 – Market the land for sale to commercial developers.

The applicant's letter of intent has been included with this report as Attachment 'B'.

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

Direction	Zoning District(s)	Land Uses
North	A-2/Parks, Estates and Agricultural District and I-2/General Industrial District	Council Bluffs Soccer Club Fields and Tyson Foods Inc.
South	C-2/Commercial District and P-C/Commercial District	Peterbuilt Truck Dealer, Super 8 Motel, Mid-America Drive, Interstate 29, and Interstate 80
East	I-2/General Industrial District, P-C/Commercial District, I-1/Light Industrial District, C-2/Commercial District, and R-3/Low Density-Multifamily Residential District	Casey's Gas Station, Pilot Travel Center/Gas Station, Speedco Truck Repair Shop, a commercial strip development (restaurant, liquor store, etc.), a restaurant, Speedee Mart Gas Station
West	P-C/Planned Commercial District	Horseshoe Casino

A location/zoning map has been included with this report as Attachment 'C'.

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

Comments

A. Upon approval of the final plat, the applicant intends to rezone proposed Lots 1 and 2 as follows:

1. Proposed Lot 1: Rezone the westerly 10 acres from P-C/Planned Commercial District to I-2/General Industrial District

2. Proposed Lot 2: Rezone the property from a mixture of C-2/Commercial District and P-C/Planned Commercial District to P-C District

The above rezonings, if approved, will result in proposed Lot 1 being zoned I-2/General Industrial District and proposed Lots 2-4 being zoned P-C/Planned Commercial District. The minimum lot size for property zoned I-2 District is 15,000 square feet, as per Section 15.21.050, Site Development Regulations, I-2/General Industrial District, of the Council Bluffs Municipal Code (Zoning Ordinance). Proposed Lot 1 contains 24.503 acres (1,067,364 square feet) more or less, which exceeds the minimum lot size requirements for the I-2 District. Per Section 15.18.050, Site Development Regulations, P-C/Planned Commercial District, of the Council Bluffs Municipal Code (Zoning Ordinance), minimum lot size requirements are determined through the development plan review procedure. The proposed Sapp Bros.

Truck Center subdivision is generally consistent with the Bluffs Tomorrow: 2030 Plan and the purpose and intent of the Council Bluffs Subdivision and Zoning Ordinances.

B. Any future construction and development of Proposed Lot 1 shall comply with the site development standards set forth in Section 15.21.050, Site Development Regulations, I-2/General Industrial District, of the Council Bluffs Municipal Code (Zoning Ordinance). Any future construction and development on proposed Lots 2-4 shall will require the adoption of a PC/Planned Commercial Development Plan prior to any commencement of any construction activity.

C. The subdivision is located within a Flood Zone 'X', according to FEMA Map Number 19155C0560E, dated February 4, 2005.

D. All proposed lots will be accessed and served by existing roadways (23rd Avenue, South 24th Street, and/or Mid-America Drive). No new public roadway extensions are proposed at this time.

E. There are adequate access to utilities (i.e., water, sanitary sewer, storm sewers, electricity, gas, cable, communication facilities, etc.) to service the proposed subdivision. All utilities shall be installed underground. All costs to construct, remove and/or relocate any utilities in this subdivision shall be the responsibility of the developer, and not the City.

F. The Council Bluffs Parks Department stated there are plans for a future trail extension along 23rd Avenue that will connect into the existing trail system along South 24th Street/Mid-American Drive. In order for the trail extension to be constructed, the City must obtain additional right-of-way on the south side of 23rd Avenue. The Council Bluffs Parks Department requested the applicant dedicate a 15 foot-wide strip of land along the frontage of Proposed Lot 3 and the westerly 68.67 feet of Proposed Lot 4 to the City of Council Bluffs as part of the platting. The construction of the trail will then coincide with development on Lot 3.

G. No private restrictions or covenants will be recorded with this plat. A note indicating as such has been placed on the final plat.

H. All City Departments and local utility providers were provided a copy of the proposed final plat to review. The following comments were received:

1. The Council Bluffs Public Works Department stated

2. The Council Bluffs Fire Department stated they have no comment on the request.

3. The Council Bluffs Police Department stated they have no comment or objection to the request.

4. Council Bluffs Water Works stated they have no comment on the request.

I. The following technical corrections shall be made to the plat prior to being executed:

1. Change all dates from '2024' to '2025' for all notary and signature block lines.

2. Change the Certificate of County Assessor signature block to Pottawattamie County Treasurer "Lea Voss'

3. Place the 'Standard Utility Easement Notes' under the 'Dedication' paragraph.

4. Update the dedication paragraph to include dedication of a 15 foot-wide strip of land along the

frontage of Proposed Lot 3 and the westerly 68.67 feet of Proposed Lot 4 to the City of Council Bluffs as part of the platting.

Recommendation

The Community Development Department recommends final plat approval a four-lot minor subdivision to be known as Sapp Bros Truck Center, being legally described as a replat of Lots 1 and 2, Sapp Bros Travel Center, together with a part of the East ½ of the SE ¼, all in Section 3-74-44, and a part of Lots 6 through 10, Block 15, and part of Lots 1 through 10, Block 42, Railroad Addition, together with the north half of vacated 25th Avenue lying south of Block 42 and all of the vacated 24th Avenue lying between Blocks 15 and 42, in Section 2-74-44, all in City of Council Bluffs, Pottawattamie County, Iowa, subject to the comments stated above and the following conditions:

A. The final plat shall be recorded within 90 days of City Council approval or the plat will become null and void unless an extension has been requested and granted by the Community Development Department Director.

B. Conform to all City standards and specifications, the zoning and subdivision ordinances and the Department of Public Works Standards for Public Improvements.

C. All utilities shall be installed underground. Any costs to construct, remove and/or relocate any utilities shall be the responsibility of the applicant and/or developer, and not the City.

D. Dedicate a 15 foot-wide strip of land along the frontage of Proposed Lot 3 and the westerly 68.67 feet of Proposed Lot 4 to the City of Council Bluffs as part of the platting.

E. All comments and technical corrections stated in case staff report shall be addressed on the final plat prior to execution of the document.

Attachments

Attachment A: Sapp Bros. Truck Center Final Plat
Attachment B: Letter of Intent
Attachment C: Location/zoning map

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