City Council Communication

Department: Community Development CASE #ZC-25-001 Applicant: Sapp Bros. Inc. 9915 S. 148th Street Omaha, NE 68138 Property Owner: Sapp Bros. Inc. P.O. Box 45305 Omaha, NE 68145 Representative: Andrew Richard 9915 S. 148th Street Omaha, NE 68138	Ordinance No. _____	1st Consideration: 3/24/2025 2nd Consideration: 4/7/2025 3rd Consideration: 4/21/2025 Planning Commission: 3/11/2025

Subject/Title

Request: Public hearing on the request of Sapp Bros. Inc. to rezone properties legally described as Lot 1, Sapp Bros. Truck Center from a mixture of I-2/ General Industrial District and P-C/Planned Commercial District to I-2/General Industrial District; and Lot 2, Sapp Bros. Truck Center from a mixture of P-C/Planned Commercial District and C-2/Commercial District to PC District.

Location: 2608 South 24th Street, Council Bluffs, Iowa

Background

The Community Development Department has received an application from Sapp Bros. Inc., represented by Andrew Richard, for the following requests:

1. Rezone Lot 1, Sapp Bros. Truck Center from a mix of P-C/Planned Commercial District and I-2/General Industrial District to I-2/General Industrial District (see Attachment A).

2. Rezone Lot 2, Sapp Bros. Truck Center from a mix of P-C/Planned Commercial District and C-2/Commercial District to P-C/Planned Commercial District (see Attachment A).

On January 27, 2025, the City Council approved a final plat for a four-lot minor subdivision (Resolution No. 25-14), to be known as Sapp Bros. Truck Center, which includes the existing Sapp Bros. Travel Center (2608 South 24th Street) and their surrounding landholdings (see Attachment B). Currently, Lots 1 and 2, Sapp Bros Truck Center are split zoned. Lot 1 contains their existing travel center and is zoned I-2 and P-C Districts. Lot 2 is currently zoned a mixture of C-2 and P-C Districts and contains truck parking for Sapp Bros. The applicant intends to move the truck parking from Lot 2 to Lot 1 and then market Lot 2 for sale to commercial developers. The purpose of this request is to bring consistent zoning to the subject lots in accordance with the approved Sapp Bros. Truck Center final plat and intended future uses of the properties.

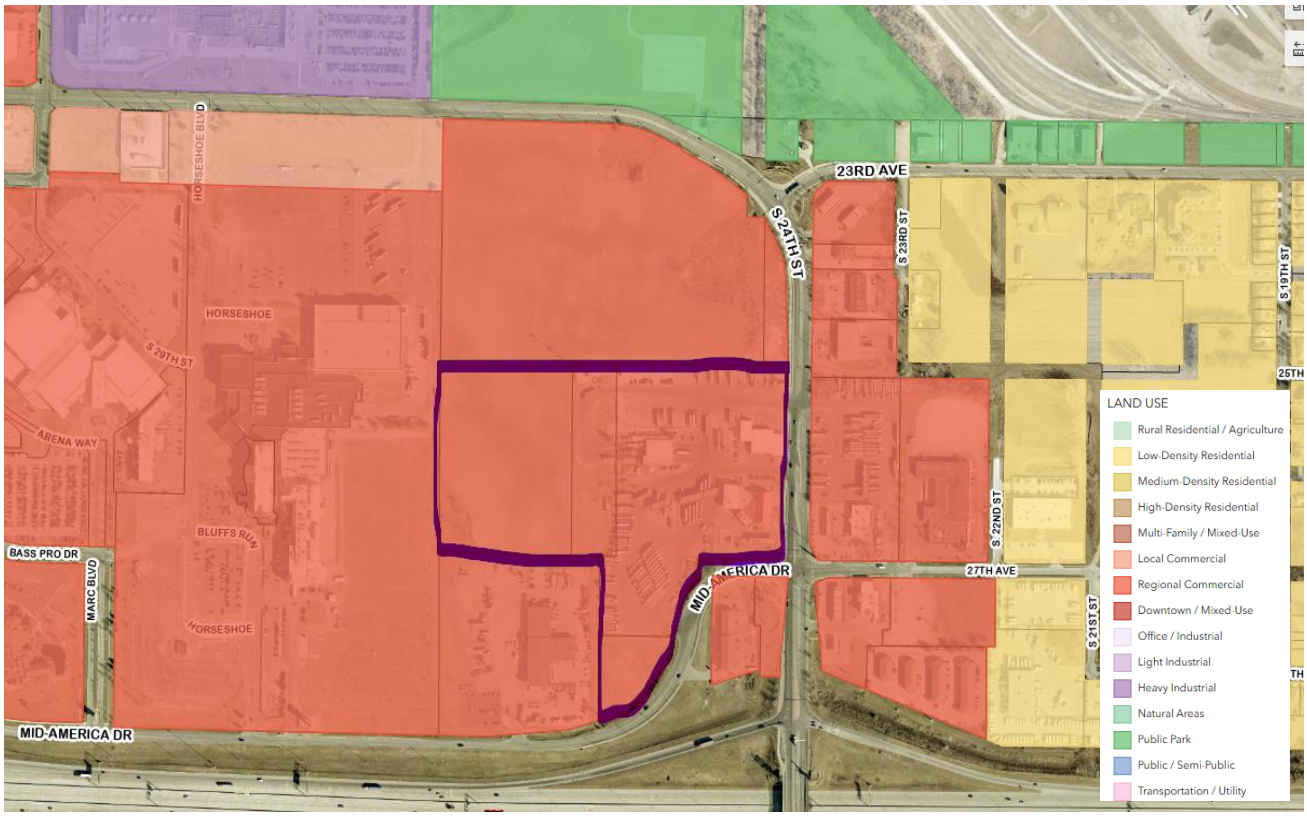
The subject properties are zoned a mixture of C-2/Commercial District, I-2/General Industrial District, and/or PC/Planned Commercial District and are surrounded by the following zoning districts and existing land uses:

Direction	Existing Zoning Districts	Existing Land Uses
North	I-2/General Industrial District and A-2/Parks, Estate, and Agricultural District	Manufacturing (Tyson Foods) and Open Space (City Park)
South	C-2/Commercial District and P-C/Planned Commercial District	Interstate 29/80, Equipment sales and service (Peterbuilt), and Automobile service establishment/equipment sales and service (Sapp Bros. Travel Center)
East	I-2/General Industrial District and P-C/Planned Commercial District	Automobile service establishment (Speedee Mart) and a restaurant (The Porch)
West	P-C/Planned Commercial District	Horseshoe Casino

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

Public notices were mailed to all property owners within 200 feet of the subject property. No comments were received as of the date of this report.

The future land use plan of the Bluffs Tomorrow: 2030 Plan (Comprehensive Plan) designates the subject property as 'Regional Commercial' (see map below).



Discussion

1. On January 27, 2025, the City Council granted final plat approval for a four-lot subdivision to be known as Sapp Bros Truck Center (see Resolution No. 25-14). The applicant's surveyor is in the process of addressing all comments and technical corrections that were identified on the plat, so that it can be signed by the owners and all applicable personnel with the City of Council Bluffs and Pottawattamie County within the 90-day timeframe outlined in Section 14.13.050, *Recording of the final plat*, of the Council Bluffs Subdivision Ordinance.

2. The legal descriptions used in the proposed rezoning case are specific to the lots that will be created once the Sapp Bros. Truck Center final plat is recorded with Pottawattamie County. As such, the proposed rezoning requests shall not become effective until the Sapp Bros. Truck Center final plat is signed by the City and recorded with the Pottawattamie County Recorder's office.

3. Lot 1, Sapp Bros. Truck Center contains 24.50 acres of land and is zoned a mixture of P-C/Planned Commercial District and I-2/General Industrial District. The property is home to Sapp Bros. Travel Center, Blue Beacon Truck Wash, and an existing 149 foot-tall wireless monopole telecommunication tower. The applicant has requested to rezone the property from a mixture of P-C/Planned District and I-2/General Industrial District to I-2/General Industrial District for zoning consistency purposes and to relocate truck parking from Lot 2, Sapp Bros. Truck Center to the westerly 10 acres of said Lot 1. If successfully rezoned, any future development on the property shall fully comply with the land uses and site development standards stated in Chapter 15.21, *I-2/General Industrial District*, of the Council Bluffs Municipal Code (Zoning Ordinance).

4. Lot 2, Sapp Bros. Truck Center contains 4.06 acres of land and is zoned a mixture of P-C/Planned Commercial District and C-2/Commercial District. The property is currently being used for truck parking, but Sapp Bros. plans to relocate said truck parking to the westerly 10 acres of Lot 1, Sapp Bros. Truck Center, once the final plat is approved and new pavement is installed. If the request to rezone the entire parcel to P-C District is approved by City Council, the applicant plans to market the site for commercial development. The applicant has submitted a conceptual plan that demonstrates the property can be developed with a commercial use(s) and off-street parking that integrates well with the existing Sapp Bros. Travel Center and surrounding area.

5. The minimum lot size for property zoned P-C District is 10 acres, as per Section 15.18.050, *Site Development Regulations*, of the Council Bluffs Zoning Ordinance. The Community Development Department finds the request to rezone Lot 2, Sapp Bros. Truck Center from a mixture of P-C District and C-2 District to P-C District to be acceptable, for the following reasons:

    a. Rezoning the property to P-C District provides consistent zoning for the parcel; and
    b. The subject property is highly visible from Interstates 29/80 and is located near the intersection of South 24th Street and Mid-America Drive; which serves as an entrance to M.A.C. Entertainment Area. Rezoning the property to P-C District ensures all development will be designed in a manner that is compatible with existing businesses in the M.A.C. Entertainment Area; and
    c. Any future development on the parcel will require the adoption of a P-C/Planned Commercial Development Plan, which must be reviewed by the City's Planning Commission and approved by City Council. The development plan will establish standards for architecture, landscaping, off-street parking, signage, stormwater management, grading, utilities, etc. to ensure the development is high-quality and integrates harmoniously with other surrounding businesses.

6. The Bluffs Tomorrow: 2030 Plan (Comprehensive Plan) designates the subject property and surrounding areas as 'Regional Commercial', as it is within close proximity to the M.A.C Entertainment Area. The

proposed rezoning is generally consistent with the 'Regional Commercial' designation. Furthermore, the proposed rezoning provides additional development opportunities that help strengthen the M.A.C. Entertainment Area, as well as, allows Sapp Bros. to relocate truck parking from a highly visible area on their travel center site and to an area that is less visible from S. 24th Street and Interstates 29/80.

7. The applicant has provided conceptual renderings that show how Lots 2, 3, and 4, Sapp Bros. Truck Center can be developed with a mixture of multi-family residential dwellings and/or commercial/retail uses (see Attachments C and D). The applicant plans to sell said lots to private developers and is aware a separate P-C/Planned Commercial development plan must be approved for each lot by the Council Bluffs City Council, prior to issuance of any building permits.

8. Council Bluffs Fire Department stated they have no comments for the rezoning request.

9. Council Bluffs Police Department stated they have no comments/objections for the rezoning request.

10. Council Bluffs Public Works stated they have no comments about the rezoning request.

11. Cox Communications stated they have no objections to the rezoning request.

12. Council Bluffs Water Works stated they have no comments about the rezoning request.

13. MidAmerican Energy stated they have no conflicts or concerns about the proposed rezoning and that the developer and/or their agent shall contact them to discuss electrical needs for any existing and/or new development on the parcels contained in this request.

Recommendation

The Community Development Department recommends approval of the request of Sapp Bros. Inc., represented by Andrew Richard, to rezone properties legally described as Lot 1, Sapp Bros. Truck Center from a mixture of I-2/General Industrial District and P-C/Planned Commercial District to I-2/General Industrial District; and Lot 2, Sapp Bros. Truck Center from a mixture of P-C/Planned Commercial District and C-2/Commercial District to PC District.
subject to the following conditions:

1. The proposed rezoning shall not become effective until such time the Sapp Bros. Truck Center Final Plat is signed by the City and recorded with the Pottawattamie County Recorder's Office.

Public Hearing

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

Speakers in favor:
1. Jonathan McCarville, Olsson, 2111 South 67th Street #200, Omaha, NE 68106

Speakers against: None

The Planning Commission recommended approval of the request of Sapp Bros. Inc., represented by Andrew Richard, to rezone properties legally described as Lot 1, Sapp Bros. Truck Center from a mixture of I-2/General

Industrial District and P-C/Planned Commercial District to I-2/General Industrial District; and Lot 2, Sapp Bros. Truck Center from a mixture of P-C/Planned Commercial District and C-2/Commercial District to PC District. subject to the following conditions:

1. The proposed rezoning shall not become effective until such time the Sapp Bros. Truck Center Final Plat is signed by the City and recorded with the Pottawattamie County Recorder's Office.

VOTE: AYE – Hutcheson, Knauss, Rater, Rew, Stroebele, VanHouten, and Watson. NAY – None. ABSTAIN – Freund. ABSENT – None. VACANT - Three Motion: Carried.

Attachments

Attachment A: Location/zoning map
Attachment B: Sapp Bros. Truck Center Final Plat
Attachment C: Conceptual development plan for Lots 3 and 4, Sapp Bros. Truck Center
Attachment D: Conceptual development plan for Lot 2, Sapp Bros. Truck Center

Prepared by: Christopher Gibbons, Planning and Code Compliance Manager, Community Development Dept.