City Council Communication

Department: Community Development CASE #ZC-23-002 Applicant/Owner: FRHP Lincolnshire, LLC 250 Parkway Drive, Suite 270 Lincolnshire, IL 60069 Representative: Phillip Lewis Engineering 23620 Interstate 30 Bryant, AR 72022	Resolution No. _____ Ordinance No. _____	City Council 1st Consideration: 1/23/23 2nd Consideration: 2/13/23 3rd Consideration: 2/27/23 Planning Commission: 1/10/2022

Subject/Title

Request: Public hearing on the request FRHP Lincolnshire, LLC, represented by Phillip Lewis Engineering, to rezone the property legally described as Lot 3, Railroad Addition Replat 1, City of Council Bluffs, Pottawattamie County, Iowa, from P-C/Planned Commercial District to I-1/Light Industrial District.

Location: Undeveloped land lying south of 2216 27th Avenue

Background

The Community Development Department has received an application from FRHP Lincolnshire, LLC, represented by Phillip Lewis Engineering, to rezone property legally described as Lot 3, Railroad Addition Replat 1, City of Council Bluffs, Pottawattamie County, Iowa, from P-C/Planned Commercial District to I-1/Light Industrial District. Attachment 'A' contains a location/zoning map.

The applicant operates the Camping World RV Dealership to the east, located at 2802 S 21st Street, and would like to utilize the subject property to expand their business by constructing a new RV service facility approximately 20,000 square feet in size. According to the applicant's letter of intent (Attachment 'B'), the facility would not perform any mechanical work on engines or transmissions, but would engage in work on items such as awning repair/replacement, water tanks, roof skylights, interior seating, etc. Attachment 'C' contains a preliminary site plan, and Attachment 'D' contains a preliminary architectural rendering.

The zoning ordinance classifies the proposed use as 'automobile repair, minor,' and the use itself would function as an accessory use to the existing RV dealership, which is classified as 'automobile sales and rental.' This type of land use is currently not permitted in the P-C/Planned Commercial District. The applicant has requested to rezone the subject property to the I-1/Light Industrial District, which would allow the property to be used as proposed. The requested rezoning, if approved, would bring the subject property under the same zoning classification as the existing RV dealership as well.

Land Use and Zoning

The following zoning and land uses surround the subject property:

- North: A hotel (zoned P-C/Planned Commercial District), a fuel station (zoned I-2/Industrial District), and a federal courthouse (zoned C-2/Commercial District)
- South: A motel (zoned P-C/Planned Commercial District)
- East: An RV dealership (zoned I-1/Industrial District)
- West: A fuel station (zoned P-C/Planned Commercial District

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

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 it has no comments.
B. Council Bluffs Building Division stated it does not oppose the rezoning request.
C. Council Bluffs Parks and Recreation Department stated is has no comments.
D. Public Works Department stated it does not oppose rezoning the subject property. However, the department noted that the preliminary site plan does not indicate any facilities for stormwater management on site, and at the time of development this will be a requirement.

Discussion

A. The subject property contains 117,612 square feet, which exceeds the minimum lot size requirement (10,000 square feet) of the I-1/Light Industrial District.
B. Per Section 15.03.652, of the Council Bluffs Municipal Code (Zoning Ordinance), 'automobile repair, minor' is defined as "*the repair of automobiles and noncommercial trucks including the sale, installation and servicing of parts*," and 'automobile sales and rental' is defined as an "*establishment or place of business engaged in the storage and display for sale, lease or rental of more than two motor vehicles or any type of trailer (provided the trailer is unoccupied) at any one time and/or a total of ten (10) or more sold, leased or rented during the course of a calendar year and where repair or body work is incidental to the operation of the new or used vehicle sales, leasing or rental. Automobile sales includes all motor vehicle retail sales, leasing or rental, including…recreational vehicles...*" As 'automobile repair, minor' and 'automobile sales and rental' are not permitted uses in the P-C/Planned Commercial District, a rezoning would be necessary to allow such uses on the subject property. The I-1/Light Industrial District would be the most sensible option for rezoning, as the existing RV dealership is currently zoned I-1.
C. If the proposed rezoning is approved, any future development that occurs on the subject property shall conform to the site development standards in Section 15.20.050, *Site Development Regulations in the I-1 District*, of the Council Bluffs Municipal Code (Zoning Ordinance).
D. The Bluffs Tomorrow 2030 (Comprehensive Plan) designates the subject property as 'Regional Commercial,' which is intended for *"…significant commercial development in high visibility areas, such as expressway interchanges and major destination centers."* The Comprehensive Plan further states, *"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 and with coordinated development."* The proposed zoning and use of the subject property for industrial purposes would not meet the future land use goals of the Comprehensive Plan.
E. The Comprehensive Plan also classifies the subject property under the "Mid America Center" Commercial Character Area. This area of the City is anchored by the Mid America Center arena, which is intended to be surrounded by supportive uses such as *"retail development, casinos, and hotels."* The Comprehensive Plan specifically states that existing industrial uses *"impact the character of the area"* and expresses a goal of *"encouraging high quality commercial and hospitality development at the I-80/24th Street interchange that will enhance the image of the area and provide a logical connection to the centerpiece of the Mid America Center."* While the subject property lies behind existing development on 24th Street, it remains visible from the public realm near the I-80/24th Street interchange. Use of the subject property for industrial purposes would run counter to Comprehensive Plan's stated goals to create a cohesive commercial environment around the Mid America Center and the aforementioned interchange.
F. The subject property is currently undeveloped and has no history of industrial development that could

provide a reason to support the requested rezoning. Recent developments in the vicinity include a Casey's gas station and a federal courthouse. These uses are consistent with a commercial development pattern, whereas an RV service center would disrupt this development pattern.

G. The P-C/Planned Commercial District allows the city to work with developers to set site-specific standards for site development, architecture, parking, landscaping, and signage. Rezoning the property to I-1/Light Industrial District would eliminate the City's ability to use the development plan process to ensure that new development on the subject property is compatible in functionality and design with the broader Mid America Center entertainment district.

H. The applicant's preliminary site plan is not finalized. If the rezoning is approved and the applicant moves forward with development, final building plans shall conform to all relevant City codes and policies. Any future development shall also not infringe on the existing ingress/egress easement that exists over a western portion of the subject property.

Recommendation

The Community Development Department recommends denial of the request of FRHP Lincolnshire, LLC, to rezone the property legally described as Lot 3, Railroad Addition Replat 1, City of Council Bluffs, Pottawattamie County, Iowa, from P-C/Planned Commercial District to I-1/Light Industrial District, based on reasons stated above.

Public Hearing

Staff speaker for the request:

1. Brandon Siracuse, Planner, City of Council Bluffs, 209 Pearl Street, Council Bluffs, IA 51503
2. Christopher Gibbons, Planning Manager, City of Council Bluffs, 209 Pearl Street, Council Bluffs, IA 51503

Speakers in favor:

1. Phillip Lewis, Phillip Lewis Engineering, PO Box 17307, Little Rock, AR 72222
2. Jose Aldebot, JACON Constructors, LLC, PO Box 1567, Benton, AR 72018

Speakers against: None

The City Planning Commission recommended approval of the request by of the request of FRHP Lincolnshire, LLC, to rezone the property legally described as Lot 3, Railroad Addition Replat 1, City of Council Bluffs, Pottawattamie County, Iowa, from P-C/Planned Commercial District to I-1/Light Industrial District, subject to the rezoning taking effect once Camping World and/or an affiliate entity purchase the subject property.

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

Attachments:

Attachment A: Location/Zoning Map
Attachment B: Letter of Intent
Attachment C: Preliminary Site Plan
Attachment D: Architectural Rendering

Prepared by: Brandon Siracuse, Planner, Community Development Department