**Council Communication**

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| Department:<br>Community Development<br><br>CASE # ZC-18-015<br><br>Applicant/Property Owner:<br>City of Council Bluffs<br><br>Property Owners:<br>Jelken Real Estate Holdings LLC<br>987 2nd Avenue SW<br>Lemars, IA 51031<br><br>Lanny R. and Barbara L. Walker<br>112 McKenzie Court<br>Council Bluffs, IA 51503 | Ordinance No. _____ | City Council: 1/14/19<br><br>Planning Commission: 12/11/18 |

**Subject/Title**

**Request**: Public hearing on the request of the Council Bluffs Community Development Department to rezone property legally described as Lots 6-8 and the East 50 ft. of Lot 9, all in Block 5, Everett's Addition from I-1/Light Industrial District to R-2/Two Family Residential District.

**Location**: 2nd Avenue, between South 18th Street and South 19th Street.

**Background**

The Community Development Department is requesting to rezone the properties legally described as Lots 6-8 and the East 50 ft. of Lot 9, all in Block 5, Everett's Addition from I-1/Light Industrial District to R-2/Two Family Residential District. These properties are addressed as 1802, 1812 and 1820 2nd Avenue, respectively, with the exception of Lot 7, which is undeveloped.

Lot 7 is currently owned by the City of Council Bluffs and is classified as "transitional dispose" and "buildable" in the Inventory and Disposal Policy for Surplus City Property. This rezoning request would allow the City to market Lot 7 as a single family property for development. This request would also bring the non-conforming single-family dwellings on Lots 6, 8 and 9 into conformance with City zoning standards.

*Land Use and Zoning*

The following zoning districts and land uses surround the subject properties:
North: An industrial building that is zoned in the I-1/Light Industrial District.
South: Residential structures that are zoned in the R-3/Low Density Multifamily Residential District.
East: Residential structures that are zoned in the R-2/Two Family Residential District.
West: An office building that is zoned in the I-1/Light Industrial District.

The future land use plan of the Bluffs Tomorrow 2030 (Comprehensive Plan) designates the subject properties as Low Density Residential.

Public notices were mailed to all property owners within 200 feet of the request. No comments were received for the request.

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

- The Permits and Inspections Division stated they have no comments on the request.
- The Council Bluffs Fire Department stated they have no comments on the request.
- Black Hills Energy stated they have no concerns regarding the rezoning request.
- MidAmerican Energy stated they have no objections to the request. They operate electric facilities on the properties and stated they need to retain them.
- Council Bluffs Water Works stated they have no comments regarding the rezoning request. Water service is available for the subject properties on 2nd Avenue.

The following attachments are included with the case staff report: Attachment A: Location/zoning map

**Discussion**

1. The proposed rezoning is generally consistent with the Future Land Use Plan of the Bluffs Tomorrow: 2030 Comprehensive Plan. The subject properties are designated as Low Density Residential, which would allow for single family and two family residential land uses.
2. Adequate utilities (e.g., water, sanitary sewer, electric, etc.) are available to accommodate the uses permitted in the R-2/Two Family Residential District.
3. The proposed rezoning would allow the City to market Lot 7 as a single family and/or two family property for development.
4. The subject properties are existing lots of record which do not comply with the minimum I-1/Light Industrial District lot dimensions (75 feet by 100 feet) or lot area (10,000 square feet). The lots do conform to the minimum R-2/Two Family Residential District lot dimensions (50 feet by 100 feet) and lot area (5,000 square feet). Therefore, the proposed rezoning would bring the lots into conformance with City zoning standards.
5. The proposed rezoning would also bring the non-conforming single-family dwellings on Lots 6, 8 and 9 into conformance with City zoning standards.

**Recommendation**

The Community Development Department recommends approval of the request to rezone property legally described as Lots 6-8 and the East 50 feet of Lot 9, all in Block 5, Everett's Addition from I-1 Light Industrial District to R-2/Two Family Residential District.

**Public Hearing**

Speaker providing explanation:

1. Moises Monrroy, Planner, Community Development Department, City of Council Bluffs, 209 Pearl Street, Council Bluffs, IA 51503

Speakers against: None.

**Planning Commission Recommendation**

The Planning Commission recommends approval of the request to rezone property legally described as Lots 6-8 and the East 50 feet of Lot 9, all in Block 5, Everett's Addition from I-1 Light Industrial District to R-2/Two Family Residential District.

VOTE: AYE 8 NAY 0 ABSTAIN 0 ABSENT 1 VACANT 2 Motion: Carried

**Attachments**

Attachment A: Location/zoning map

Prepared by: Moises Monrroy, Planner

ATTACHMENT A

# CITY OF COUNCIL BLUFFS - CITY PLANNING COMMISSION
# CASE #ZC-18-015 LOCATION/ZONING MAP

**Map Legend**

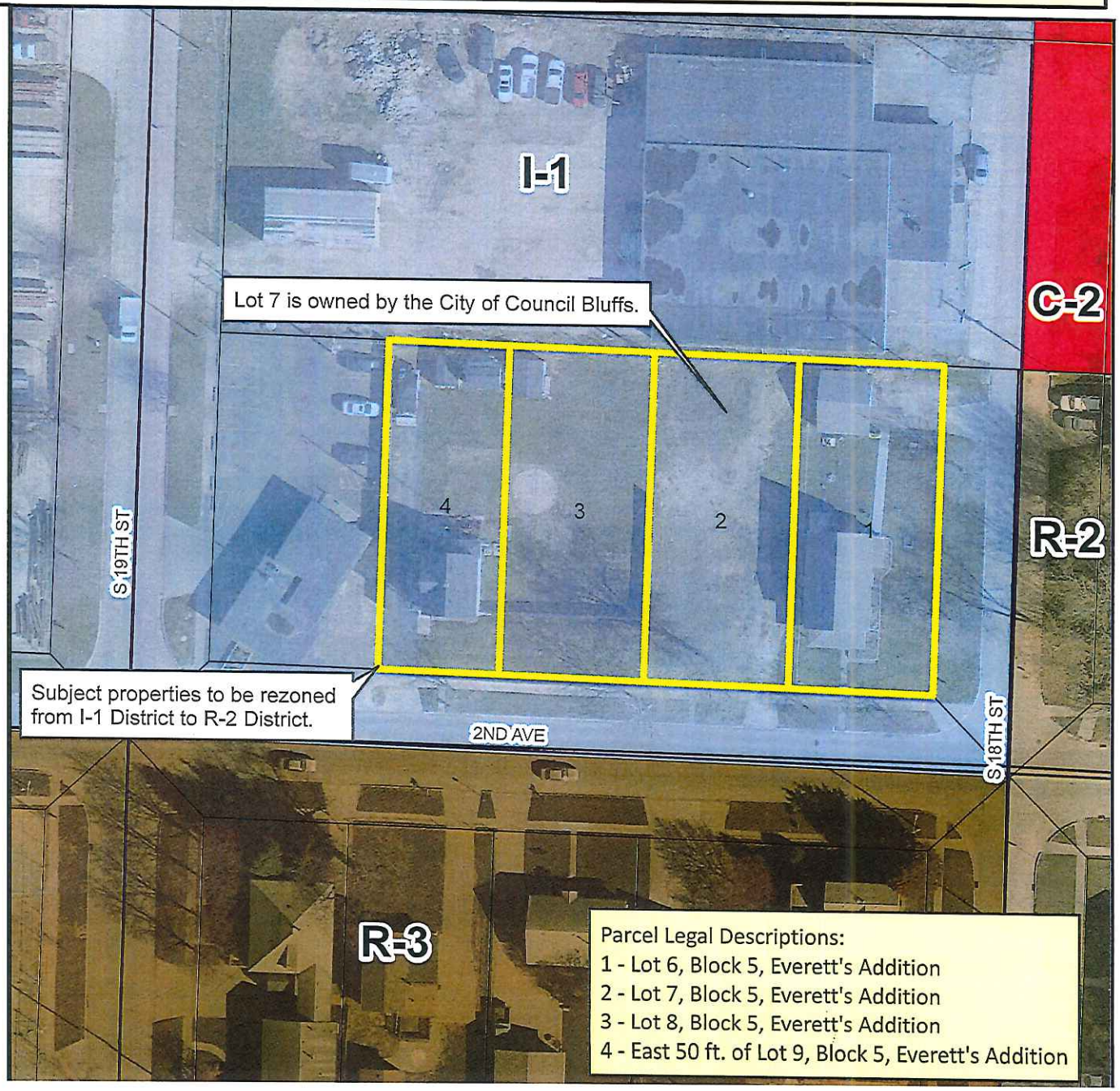
Properties Proposed to be Rezoned

Parcels

0 30 60

1 Inch = 65 Feet




Parcel Legal Descriptions:
1 - Lot 6, Block 5, Everett's Addition
2 - Lot 7, Block 5, Everett's Addition
3 - Lot 8, Block 5, Everett's Addition
4 - East 50 ft. of Lot 9, Block 5, Everett's Addition

Last Amended: 11/19/18


Council Bluffs Community Development Department
209 Pearl Street
Council Bluffs, IA 51503
Telephone: (712) 328.4629



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