Council Communication

Department: Community Development CASE # ZC-19-001 Applicant/Property Owner: City of Council Bluffs Community Development Department	Ordinance No. _____	City Council: 2/25/19 Planning Commission: 2/12/2019

Subject/Title

Request: Public hearing on the request of the City of Council Bluffs to rezone property legally described as Lots 1 through 16, Block 12, Bryant and Clark's Subdivision and the vacated alley adjacent from R-3/Low Density Multifamily Residential to R-4/High Density Multifamily Residential District.

Location: Between 1st and 2nd Avenues from South 28th Street to South 29th Street, and formerly addressed as 110 South 28th Street

Background

The Community Development Department is proposing to rezone property legally described as Lots 1-16, Block 12, Bryant and Clark's Subdivision, and the vacated alley adjacent, from R-3/Low Density Multifamily Residential District to R-4/High Density Multifamily Residential district. The property is approximately 2.54 acres in size, and is currently owned by the City of Council Bluffs. The property also had a PR/Planned Residential Overlay District appended by Resolution Number 16-250 on September 26, 2016.

The property was the subject of a Request for Proposals by the Community Development Department, and was awarded to a development company for redevelopment. Construction never commenced on the property, and acceptance of the proposal expired. A new Request For Proposal will be submitted following the resolution of this proposed rezoning case. As the property was acquired by the City of Council Bluffs using U.S. Department of Housing and Urban Development's (HUD) Community Development Block Grant (CDBG) program, fifty-one percent (51%) of the units must be for low and moderate income persons, with income at or below 80% of the median family income.

The rezoning request is proposed by the City of Council Bluffs to allow future developers greater flexibility in regards to the density of units on the site than would be allowed in the R-3/Low Density Multifamily Residential District. Currently, the 2.54 (110,642 square feet) acre parcel would be allowed a maximum of 55 units, per the Site Development Regulations of the R-3 District, which require 9,000 square foot lot for the first 5 units, plus an addition 2,000 square feet for each additional unit. In the R-4/High Density Multifamily Residential District, a maximum of 140 units would be allowed, as the Site Development Regulations require 9,000 square foot lot for the first 5 units, plus an addition 750 square feet for each additional unit.

Land Use and Zoning

The following zoning districts and land uses surround the subject properties:

North: A commercial retail building that is in the C-2/Commercial District.

South: Residential structures that are in the R-3/Low Density Multifamily Residential District.

East: A combination of undeveloped property and commercial and industrial uses that are zoned in the I-1/Industrial District and C-2/Commercial District.

West: A commercial property and undeveloped property that is located in the C-2/Commercial District and R-3/Low Density Multifamily Residential District.

The future land use plan of the Bluffs Tomorrow 2030 (comprehensive Plan) designates the North half of the subject property as High-Density Residential, and the South half of the subject property as Low-Density Residential. CASE #CP-19-001 proposes to reclassify the entirety of the property as Multi-Family/Mixed-Use.

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

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

- The Public Works Department stated they have no comments regarding the rezoning request.
- Black Hills Energy stated they have no concerns regarding the request.
- Council Bluffs Water Works stated they have no comments on the request.
- Cox Communications stated they have network in the right-of-way on the North side of 2nd Avenue, and on the East side of 29th Street, though has no issues with the request.
- MidAmerican Energy stated they have no objections to the request.

The following attachments are included with the case staff report:

Attachment A: Location/zoning map

Discussion

1. Adequate utilities (e.g., water, sanitary sewer, electric, etc.) are available to accommodate the uses permitted in the R-4/High Density Multifamily Residential District.
2. The rezoning of the property will allow greater flexibility to allow a potential developer to construct a cost effective building that will benefit families in the City of Council Bluffs. A developer would not be required to construct the maximum 140 residential units.
3. Following the rezoning, Request for Proposal will be distributed by the Community Development Department. A developer would be required to submit a proposal which would be approved by the City Council, and awarded the right to purchase the property and construct the approved design.
4. The property will retain a PR/Planned Residential Overlay District which was adopted by a previous developer. A new developer will be required to adhere to the adopted design standards, or will be required to apply for an amendment to the adopted development plan, which will required the approval of the City Council.

Recommendation

The Community Development Department recommends approval of the request to rezone property legally described as Lots 1 through 16, Block 12, Bryant and Clark's Subdivision and the vacated alley adjacent from R-3/Low Density Multifamily Residential to R-4/High Density Multifamily Residential District, based on reasons stated above.

Public Hearing

Staff speaker on behalf of request:

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

Speakers in favor: None
Speakers against: None

Planning Commission Recommendation

The Planning Commission recommends approval to rezone property legally described as Lots 1 through 16, Block 12, Bryant and Clark's Subdivision and the vacated alley adjacent from R-3/Low Density Multifamily Residential to R-4/High Density Multifamily Residential District, based on reasons stated above.

VOTE: AYE 10 NAY 0 ABSTAIN 0 ABSENT 0 VACANT 1 Motion: Carried

Attachments

Attachment A: Location/zoning map

Prepared by: Chris Meeks, Planner