Council Communication

Department and Applicant: Community Development Case #CP-19-002	Resolution No. _____	Planning Commission: 2/12/19 Public Hearing: 2/25/19

Subject

Request: Amend the future land use plan of the Bluffs Tomorrow: 2030 Plan (Comprehensive Plan) by reclassifying 44.47 acres of land located at the southwest corner of the intersection of South 24th Street and Richard Downing Avenue from a combination of Office/Industrial and High Density Residential to Regional Commercial (legally described as being part of N1/2 SE1/4 of Section 10-74-44 and part of the NW1/4 SW1/4 of Section 11-74-44, City of Council Bluffs, Pottawattamie County, Iowa, being more particularly described on Attachment 'A'.

Location: Southwest corner of the intersection of South 24th Street and Richard Downing Avenue.

Background/Discussion

In August 2018, the Council Bluffs City Council adopted and approved the following ordinance and resolutions to allow a new commercial shopping center, known as 24 Park Place, to be developed on property located at the southwest corner of the intersection of South 24th Street and Richard Downing Avenue:

- Ordinance No. 6347: Conditionally rezoned the subject property from A-2/Parks, Estates, and Agricultural District to PC/Planned Commercial District. The rezoning will become effective upon execution of a final plat for 24 Park Place Subdivision;
- Resolution No. 18-55: Granted preliminary plan approval for a commercial subdivision to be known as 24 Park Place; and
- Resolution No. 18-259: Adopted a planned commercial development plan for 24 Park Place.

The developer, Lockwood Development, has proposed to construct a new Fleet Farm store with an associated gas station/convenience store along with several pad sites in 24 Park Place and has requested the City of Council Bluffs provide financial assistance for the project. The City and Lockwood Development have held conversations about providing tax increment financing for the project using the powers granted under Iowa Code Chapter 403/Urban Renewal Law. In order to invoke its urban renewal powers, the City Council must agree to designate the subject property an Urban Renewal Area, adopt an Urban Renewal Plan and negotiate a development agreement with the Developer. State law requires that future land use in the Comprehensive Plan be consistent with the goals of the proposed Urban Renewal Plan. Furthermore, in order for the City to support the creation of an Urban Renewal Area and Plan on the subject property, an amendment to the future land use plan of the Bluffs Tomorrow 2030 Plan (Comprehensive Plan) is needed prior to any urban renewal actions.

Comments

1. The future land use plan of the Bluffs Tomorrow 2030 Plan (Comprehensive Plan) classifies the subject property as Office/Industrial and High Density Residential. Surrounding land use designations includes Regional Commercial and Public Park to the north; Office/Industrial and Regional Commercial to the east; Office/Industrial and Light Industrial to the South; and High Density Residential to the West. The proposed amendment will result in an extension of the

Regional Commercial designation along South 24th Street, which is consistent with the plan designations on properties located to the adjacent north and northeast.

2. The City Council adopted Ordinance No. 6347, which conditionally rezoned the subject property from A-2/Parks, Estates, and Agricultural District to PC/Planned Commercial District. Approval of the request will bring consistency between the zoning (PC/Planned Commercial District) and future land use plan designation (Local Commercial) of the subject property.

3. Chapter 5, Land Use Plan of the Bluffs Tomorrow 2030 Plan defines the High Density Residential land use classification as *"areas in Council Bluffs typically include a series of multi-family structures built as part of the same development. The structures area often arranged around an internal street network or a central courtyard or open space. These developments area often adjacent to neighborhoods, but tend to have their own character"*.

4. Chapter 5, Land Use Plan of the Bluffs Tomorrow 2030 Plan defines the Office/Industrial land use classification as *"low-impact assembly or distribution activities complemented by employment-intensive, administrative, or professional office functions. In these areas, development should include attractive building and landscaping design, and have an overall character that reflects a professional office environment, and may include open spaces, trails, local commercial or restaurant uses, and other employee-oriented amenities"*.

5. Chapter 5, Land Use Plan of the Chapter 5, Land Use Plan of the Bluffs Tomorrow 2030 Plan defines the Regional Commercial land use classification as *"areas with significant commercial development in high visibility areas, such as expressway interchanges and major destination centers. 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 with coordinated development"*. The subject property is comprised of 44.47 acres of land along South 24th Street, which is classified as a minor arterial roadway, and is located within a short distance from an I-29/I-80 interchange. To the immediate northeast of the subject property is an existing retail commercial shopping center known as Marketplace, anchored by JcPenny's. The 24 Park Place Subdivision is master planned development with specific standards for architecture, landscaping, off-street parking, signage, stormwater, building setbacks/heights, and lot coverage. The development will be accessed from South 24th Street and Richard Downing Avenue and will include two new public streets for internal pedestrian and vehicle circulation. Proposed land uses in the development include a new Fleet Farm store with an associated gas station, an 88,000 square foot multi-tenant retail building, along with several pad sites for commercial/retail uses. The subject property's size, location along South 24th Street, and proximity to Interstates I-29/I-80 and the Marketplace Shopping Center make it more suitable for large-scale retail commercial than high density residential and office/industrial. Furthermore, the proposed 24 Park Place planned for the subject property exemplifies the type of land uses that are developed in accordance with the Regional Commercial classification.

6. All City Department and local utility providers were notified of the proposed request. Staff received no comments in opposition of the request.

7. All affected property owners, including Lockwood Development and John Jerkovich (agent), were notified of the proposed request. Staff received one phone call from Mr. Jerkovich who asked general questions about the reclassification. The Community Development Department explained the purpose and intent of the reclassification as well as reiterated that it will not change the current zoning classification of their property nor change the conformance status of any existing land uses on their property. Staff received no formal comments in support or in opposition of the request.

8. As previously stated, the City and Lockwood Development have held conversations about providing tax increment financing for the 24 Park Place project using the powers granted under Iowa Code Chapter 403/Urban Renewal Law. In order to invoke its urban renewal powers, the City Council must agree to designate the subject property an Urban Renewal Area, adopt an Urban Renewal Plan and negotiate a development agreement with the Developer. State law requires that the future land use in the Comprehensive Plan be consistent with the goals of the proposed Urban Renewal Plan.

   Approval of the proposed land use amendment will allow the City to move forward with designating the subject property an Urban Renewal Area and preparing an Urban Renewal Plan for 24 Park Place that is consistent with the Regional Commercial classification stated in the Bluffs Tomorrow: 2030 Plan, as required per State law. The 24 Park Place Urban Renewal Plan and associated development agreement will be forwarded to City Council for review and approval upon successful completion of this future land use plan amendment.

Recommendation

The Community Development Department recommends approval to amend the future land use plan of the Bluffs Tomorrow: 2030 Plan (Comprehensive Plan) by reclassifying 44.47 acres of land located at the southwest corner of the intersection of South 24th Street and Richard Downing Avenue from a combination of Office/Industrial and High Density Residential to Regional Commercial (legally described as being part of N1/2 SE1/4 of Section 10-74-44 and part of the NW1/4 SW1/4 of Section 11-74-44, City of Council Bluffs, Pottawattamie County, Iowa, and being more particularly described on Attachment 'A', based on reasons stated above.

Public Hearing

Staff speaker on behalf of request:

1. Christopher Gibbons, Planning Coordinator, 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 amend the future land use plan of the Bluffs Tomorrow: 2030 Plan (Comprehensive Plan) by reclassifying 44.47 acres of land located at the southwest corner of the intersection of South 24th Street and Richard Downing Avenue from a combination of Office/Industrial and High Density Residential to Regional Commercial (legally described as being part of N1/2 SE1/4 of Section 10-74-44 and part of the NW1/4 SW1/4 of Section 11-74-44, City of Council Bluffs, Pottawattamie County, Iowa, and being more particularly described on Attachment 'A', based on reasons stated above.

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

Attachments

Attachment A: Legal description exhibit
Attachment B: Future land use plan amendment exhibit

Prepared by: Christopher N. Gibbons, AICP, Planning Coordinator