Council Communication

Department: Community Development Case #ZT-19-002 Applicant: Brett Derrig 219 N. 20th Street Council Bluffs, IA 51501	Ordinance No.	City Council: 7/22/19 Planning Commission: 7/09/19

Subject/Title

CASE #ZT-19-002: Public hearing on the request of Brett Derrig to amend Section 15.05.030(02) of the Municipal Code (Zoning Ordinance) by adding 'Commercial recreation (indoor)', as defined by Section 15.03.156, as a conditional use in an A-2/Parks, Estates, and Agricultural District; the Council Bluffs Community Development Department expanded the request to amend Section 15.05.050, Site development regulations of the Municipal Code (Zoning Ordinance) to allow an accessory in an A-2/ Parks, Estates, and Agricultural District to have a minimum 50 foot front yard setback, as opposed to the current front yard setback standard of "greater of 50 feet or existing front setback line of principal structure".

Background

The Community Development Department has received a request from Brett Derrig, for a text amendment to Title 15 of the Municipal Code (Zoning Ordinance) for:

- An amendment to §15.05.030, Conditional uses in the A-2/Parks, Estates, and Agricultural District, to amend "(2) Commercial recreation (outdoor)" to "(2) Commercial recreation (indoor and outdoor)".

Additionally, upon reviewing the site development regulations of the A-2 District, the Community Development Department expanded the request to:

- Amend §15.05.050, Site development regulations in the A-2/Parks, Estates and Agricultural District to amend the front yard setback for an accessory structure from "greater of 50 feet or existing front setback line of principal structure" to "50 feet".

The purpose of the text amendment to §15.05.030, as requested by Mr. Derrig, is to allow indoor commercial recreation as a conditional use in the A-2 District, which currently only allows outdoor commercial recreation as a conditional use. Mr. Derrig is proposing to construct an indoor baseball training facility at 1100 N. 8th Street on ground that is currently zoned A-2/Parks, Estates and Agricultural District, and houses baseball fields. Commercial recreation (indoor) is defined as "businesses and organizations engaged in the provision of sports, entertainment, or recreation within an enclosed or screened building. Typical uses include bowling alleys, billiard parlors, skating rinks, amusement machine complex, racquetball, swimming, tennis and exercise/fitness centers." while Commercial recreation (outdoor) means "businesses and organizations engaged in the provision of sports, entertainment, or recreation in an open or partially enclosed or screened facility. Typical uses include skating rinks, swimming pools, tennis, driving ranges, miniature golf and golf courses and the structures associated with its operation."

The purpose of the proposed amendment to §15.05.050, Site development regulations in the A-2/Parks, Estates and Agricultural District, as proposed by the Community Development Department is in response to a review of properties located within the A-2 District and the future development of those properties. By today's ordinance, accessory structures are required to be located behind the front setback of the principal

structure on the property, as is the case with many residential districts in the City. However, with the intent of the district being for agricultural, recreational and large-parcel residential uses with a minimum lot size of three acres, the parcels located in the A-2 District often serve a different purpose and feature development patterns that are unlike other districts in the City. The front yard setback of 50 feet in the A-2 District is also twice as large as the 25 foot front yard setback of the R-1/Single Family Residential District and R-2/Two-Family Residential District. Allowing accessory structures to be located in front of a principal structure, so long as they meet or exceed the required 50 foot front yard setback, will provide easier construction options to those with long driveways or topographic constraints who wish to construct an accessory garage for personal storage, or for agricultural operations who are in need of equipment storage structures or other necessary accessory buildings for their operation.

All City departments and utility providers received a copy of the proposed text amendments. The Council Bluffs Fire Marshall, Council Bluffs Permits and Inspections Division, Council Bluffs Public Works Department, Black Hills Energy, and Council Bluffs Water Works all responded that they have no comments on the request.

No other comments have been received.

Recommendation

The Community Development Department recommends approval of the following requests:

1. Amend Section 15.05.030(02) of the Municipal Code (Zoning Ordinance) by adding 'Commercial recreation (indoor)', as defined by Section 15.03.156, as a conditional use in an A-2/Parks, Estates, and Agricultural District.
2. Amend Section 15.05.050, Site development regulations of the Municipal Code (Zoning Ordinance) to allow an accessory in an A-2/ Parks, Estates, and Agricultural District to have a minimum 50 foot front yard setback, as opposed to the current front yard setback standard of "greater of 50 feet or existing front setback line of principal structure".

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:

1. Brett Derrig, 219 North 20th Street, Council Bluffs, IA 51501

Speakers against: None.

Planning Commission Recommendation

The Planning Commission recommends approval to amend Section 15.05.030(02) of the Municipal Code (Zoning Ordinance) by adding 'Commercial recreation (indoor)', as defined by Section 15.03.156, as a conditional use in an A-2/Parks, Estates, and Agricultural District; and approval to amend Section 15.05.050, Site development regulations of the Municipal Code (Zoning Ordinance) to allow an accessory in an A-2/ Parks, Estates, and Agricultural District to have a minimum 50 foot front yard setback, as opposed to the current front yard setback standard of "greater of 50 feet or existing front setback line of principal structure".

VOTE: AYE 7 NAY 0 ABSTAIN 0 ABSENT 4 VACANT 0 Motion: Carried

Attachment

Attachment A: Proposed text amendment

Prepared by: Chris Meeks, Planner