City Council Communication

Department: Community Development CASES #ZC-20-002 and #MIS-20-003 Applicant: Council Bluffs Community School District 300 W. Broadway, Suite 1600 Council Bluffs, IA 51503 Property Owner: Same as Applicant Representative: Dr. Vickie Murillo 300 W. Broadway, Suite 1600 Council Bluffs, IA 51503	Ordinance No._____ Resolution No._____	Planning Commission: 4/14/2020 City Council: <u>Case#ZC-20-002</u> 1st Consideration: 5/4/2020 2nd Consideration: 5/18/2020 3rd Consideration: Request to be waived <u>Case #MIS-20-003:</u> City Council: 5/18/2020

Subject/Title

Requests: The Community Development Department has received requests from the Council Bluffs Community School District for the following items:

1. Case #ZC-20-002: A request to rezone the following properties from R-3/Low-Density Multifamily Residential District to A-P/Administrative Professional District:
    a. the Gerald W. Kirn Middle School campus, located at the northwest corner of the intersection of East Kanesville Boulevard and North Avenue and legally described as a parcel of land in the north half of Section 30, T75N, R43W and in the City of Council Bluffs, all in Pottawattamie County, Iowa more particularly described as follows: that portion of the Auditor's Subdivision in the northwest quarter of the northeast quarter of said Section 30 which lies west of North Avenue, excluding the north 122 feet; and part of Lot 1, excluding State of Iowa Highway 6 right-of-way and all of Lot 2 in J.F. Wilcox Home Subdivision; and Lots 1 through 4, Block 2; Lots 1 through 5, Block 3; and the North 2/3 of Lots 1 through 3, Block 6 in Prospect Place; and Lot 9, Block 1 in Marty's Addition; and that portion of vacated Crittenden, Catalpa, and Maple Streets and adjacent vacated 16' alley west of the west North Avenue right-of-way line from; and
    b. the Hoover Elementary School campus located at 1205 North Broadway Street and legally described as a parcel of land in the Auditor's Subdivision, Section 30-75-43, City of Council Bluffs, Pottawattamie County, IA more particularly described as Lot 3, Auditor's Subdivision in the NE ¼ NW ¼ and part of the SE ¼ NW ¼ commencing at the NW corner of Lot 3, thence southerly 500', easterly 429.6', northerly 48', easterly 143', northerly 635.5', and westerly 742.5' to the point of beginning and the southerly 62.96' of Lot 28 and all of Lot 27, Auditor's Subdivision Sublot 6 in the NE ¼ NW ¼; and
2. Case #MIS-20-003: A request to adopt a site-specific signage plan for the Gerald W. Kirn Middle School campus, legally described above.

CASE #ZC-20-002 Background

The Community Development Department has received an application from the Council Bluffs Community School District, represented by Dr. Vickie Murillo, to rezone the Kirn Middle School and Hoover Elementary School campuses, both legally described above, from R-3/Low-Density Multifamily District to A-P/Administrative Professional District. The purpose of this request is to allow the applicant to adopt a site specific signage plan for the Kirn Middle School campus, which is approximately 17.4 acres in size. Per Section 15.33.160(4)(E), *A/P Administrative professional district sign regulations*, '*any property, or combination of contiguous properties owned by the same person or entity, that are zoned A-P District and contain a minimum of one and one-half acres of total land area, shall be allowed to adopt a site specific sign plan that is subject to review by the City Planning Commission and approval by City Council*.'

As a part of a larger campus remodel, Kirn Middle School is currently updating on-site signage. The proposed signage for the Kirn campus exceeds what is allowed under the current R-3/Low-Density Multifamily Residential zoning of the property and Section 15.33.080, *Exempt Signs*, of the City's zoning ordinance. After discussing the applicant's signage needs, it was decided that the adoption of a site specific signage plan was most the appropriate avenue for permitting signage at the subject property. The applicant is including Hoover Elementary School campus in the rezoning request to remain consistent with the zoning of the adjacent Kirn Middle School property. A signage plan for Hoover Elementary is not proposed at this time. A location/zoning map is included as Attachment 'A.'

CASE #MIS-20-003 Background

The applicant has made an application to adopt a site specific signage plan for the Kirn Middle School campus located at the northwest intersection of Kanesville Boulevard and North Avenue. The proposed signage plan is outlined below:

Existing Signage

- One 18 square foot attached wall sign
- One 53 square foot detached monument sign

Total: 71 square feet

Proposed Signage

- One 64 square foot attached wall sign
- One 16 square foot attached wall sign

Total: 80 square feet

The proposed signage plan includes 151 square feet of signage total. The submitted signage inventory is included with this report as Attachment 'B.'

Land Use and Zoning

The subject properties are currently zoned R-3/Low-Density Multifamily District. Surrounding zoning in the general vicinity of the requests includes: R-1/Single-Family Residential and R-3/Low-Density Multifamily Residential zoning to the north; R-3/Low-Density Multifamily Residential, C-2/Commercial, and R-4/High Density Multifamily residential zoning to the east; A-P/Administrative-Professional, C-2/Commercial, C-3/Commercial and R-1/Single-Family Residential zoning to the south; and R-2/Two-Family Residential zoning to the west.

Surrounding land uses in the general vicinity include: single-family homes, the Phoenix House, and a cell tower to the north; multifamily residential developments and commercial tenants to the east; single-family homes, a dry cleaner, insurance agency, restaurant, bank, grocery store and car wash to the south; and single-family homes to the west.

The future land use plan of the Bluffs Tomorrow 2030 (Comprehensive Plan) designates the subject property as 'Public/Semi-Public' and 'Loess Hills Preservation Area.' The proposed request is consistent with these designations as the schools will remain public facilities and will not have an impact on the Loess Hills Preservation Area.

The following attachments are included with this report:

Attachment A: Location/Zoning Map
Attachment B: Applicant's Submitted Signage Inventory

Comments

The proposed requests were routed to all City departments and local utility providers. The following comments were received:

- Black Hills Energy stated that they have no concerns regarding the requests.
- MidAmerican Energy stated that they have no conflict with the requests and that the applicant should be advised to contact MidAmerican Energy to directly discuss any future electric service needs for the property.
- The Council Bluffs Permits and Inspections Division stated that they have no comments regarding the requests.
- The Council Bluffs Park and Recreation Department stated that they have no comments regarding the requests.
- The Council Bluffs Public Works Department stated that they have no comments regarding the requests.
- The Council Bluffs Community Development Department provided the following comments regarding the proposed rezoning, Case #ZC-20-002:
  1. If the proposed rezoning is approved, the subject properties will be rezoned to a district that is consistent with the general character of the area as the A-P/Administrative Professional District is intended to provide "*for the development of professional and low-intensity business offices and uses in areas where residential dwellings predominate.*" The proposed rezoning is in close proximity to the Methodist Jennie Edmundson Hospital and CHI Mercy Hospital campuses, also zoned A-P/Administrative Professional District, and located just southwest of the subject properties.
  2. The proposed rezoning is consistent with the 'Public/Semi-Public' future land use designation as the school campuses will remain public facilities. The proposed rezoning is also consistent with the 'Loess Hills Preservation Area' future land use designation as the proposed signage at Kirn Middle School will not have an impact on the integrity of the Loess Hills environment.
- The Council Bluffs Community Development Department provided the following comments regarding the proposed adoption of a site specific signage plan for Kirn Middle School, Case #MIS-20-003:
  1. Per Section 15.33.080, *Exempt Signs*, of the City's Municipal Code (Zoning Ordinance), "*ground, monument, or wall signs for on premise religious assembly or school use only; up to a maximum sign area of thirty-two (32) square feet per sign face."* Of the signs included in the submitted signage plan, two of the signs are above thirty-two (32) square feet, and thus cannot be approved administratively and require the adoption of a signage plan.
  2. The proposed signage plan includes both existing and proposed signage. The proposed signs included in the submitted signage plan are generally appropriate in design, size and height.
  3. An adopted site-specific signage plan is appropriate for the Kirn Middle School campus for the following reasons:
     - The campus serves multiple community purposes;
     - The Kirn Middle School property is over 17.4 acres in size and has frontage on two streets, one of which is a major corridor within the city; and
     - The site has a high amount of public traffic to and from the campus on a daily basis.

     The proposed signage plan will allow the applicant to adequately meet their current signage needs

and appropriately update on site signage as needed.

4. A total of 151 square feet of signage shall be allowed at the subject property as follows:
    a. One 18 square foot attached wall sign
    b. One 53 square foot detached monument sign
    c. One 64 square foot attached wall sign
    d. One 16 square foot attached wall sign
5. All new signage shall be permitted separately prior to installation.
6. The Community Development Director, or his/her designee, shall have administrative authority to approve signage requests above and beyond the maximum allowed, not to exceed twenty (20) percent of the maximum allowed signage.

Recommendation

The Community Development Department recommends the following:

1. Approval of rezoning the following properties from R-3/Low-Density Multifamily Residential District to A-P/Administrative Professional District:
    a. the Gerald W. Kirn Middle School campus, located at the northwest corner of the intersection of East Kanesville Boulevard and North Avenue and legally described as a parcel of land in the north half of Section 30, T75N, R43W and in the City of Council Bluffs, all in Pottawattamie County, Iowa more particularly described as follows: that portion of the Auditor's Subdivision in the northwest quarter of the northeast quarter of said Section 30 which lies west of North Avenue, excluding the north 122 feet; and part of Lot 1, excluding State of Iowa Highway 6 right-of-way and all of Lot 2 in J.F. Wilcox Home Subdivision; and Lots 1 through 4, Block 2; Lots 1 through 5, Block 3; and the North 2/3 of Lots 1 through 3, Block 6 in Prospect Place; and Lot 9, Block 1 in Marty's Addition; and that portion of vacated Crittenden, Catalpa, and Maple Streets and adjacent vacated 16' alley west of the west North Avenue right-of-way line from; and
    b. the Hoover Elementary School campus located at 1205 North Broadway Street and legally described as a parcel of land in the Auditor’s Subdivision, Section 30-75-43, City of Council Bluffs, Pottawattamie County, IA more particularly described as Lot 3, Auditor’s Subdivision in the NE ¼ NW ¼ and part of the SE ¼ NW ¼ commencing at the NW corner of Lot 3, thence southerly 500’, easterly 429.6’, northerly 48’, easterly 143’, northerly 635.5’, and westerly 742.5’ to the point of beginning and the southerly 62.96’ of Lot 28 and all of Lot 27, Auditor’s Subdivision Sublot 6 in the NE ¼ NW ¼.
2. Approval to adopt a site-specific signage plan for the Gerald W. Kirn Middle School campus, legally described above.

Public Hearing

Staff speaker for the request:

1. Haley Weber, Zoning Enforcement Officer, City of Council Bluffs, 209 Pearl Street, Council Bluffs, IA 51503

Speakers in favor: None

Speakers against: None

Planning Commission Recommendation

The Planning Commission recommended the following:

1. Approval to rezone the following properties from R-3/Low-Density Multifamily Residential District to A-P/Administrative Professional District:

    a. Gerald W. Kirn Middle School campus, located at the northwest corner of the intersection of East Kanesville Boulevard and North Avenue and legally described as a parcel of land in the north half

of Section 30, T75N, R43W and in the City of Council Bluffs, all in Pottawattamie County, Iowa more particularly described as follows: that portion of the Auditor's Subdivision in the northwest quarter of the northeast quarter of said Section 30 which lies west of North Avenue, excluding the north 122 feet; and part of Lot 1, excluding State of Iowa Highway 6 right-of-way and all of Lot 2 in J.F. Wilcox Home Subdivision; and Lots 1 through 4, Block 2; Lots 1 through 5, Block 3; and the North 2/3 of Lots 1 through 3, Block 6 in Prospect Place; and Lot 9, Block 1 in Marty's Addition; and that portion of vacated Crittenden, Catalpa, and Maple Streets and adjacent vacated 16' alley west of the west North Avenue right-of-way line from; and

b. Hoover Elementary School campus located at 1205 North Broadway Street and legally described as a parcel of land in the Auditor's Subdivision, Section 30-75-43, City of Council Bluffs, Pottawattamie County, IA more particularly described as Lot 3, Auditor's Subdivision in the NE ¼ NW ¼ and part of the SE ¼ NW ¼ commencing at the NW corner of Lot 3, thence southerly 500', easterly 429.6', northerly 48', easterly 143', northerly 635.5', and westerly 742.5' to the point of beginning and the southerly 62.96' of Lot 28 and all of Lot 27, Auditor's Subdivision Sublot 6 in the NE ¼ NW ¼; and

2. Approval to adopt a site-specific signage plan for Gerald W. Kirn Middle School campus, as legally described above.

VOTE: AYE 9 NAY 0 ABSTAIN 0 ABSENT 2 VACANT 0 Motion: Carried

Attachment(s)

Attachment A: Location/Zoning Map
Attachment B: Applicant's Submitted Signage Inventory

Prepared by: Haley Weber, Zoning Enforcement Officer