RESOLUTION NO. 20-289

A RESOLUTION TO AMEND THE *BLUFFS TOMORROW: 2030 PLAN (COMPREHENSIVE PLAN)*, SPECIFICALLY BY RECLASSIFYING PROPERTIES LEGALLY DESCRIBED AS LOTS 6 THROUGH 11, BAUGHN'S SUBDIVISION OF LOT 8, ORIGINAL PLAT OF COUNCIL BLUFFS, POTTAWATTAMIE COUNTY, IOWA, EXCEPT EAST KANESVILLE BOULEVARD RIGHT-OF-WAY, FROM LOW DENSITY RESIDENTIAL TO LOCAL COMMERCIAL.

WHEREAS, On September 22, 2014, the Council Bluffs City Council approved Resolution No. 14-254 which adopted the *Bluffs Tomorrow: 2030 Plan* as the City's Comprehensive Plan; and

WHEREAS, The subject properties are located west of Charles E. Lakin YMCA, 235 Harmony Street and this request is being made by YMCA of Greater Omaha in order to expand the Council Bluffs campus to accommodate additional recreational amenities, including a sports court, an outdoor pavilion, a playground, a walking path and natural landing, as well as to increase the amount of off-street parking for the site (see Attachment 'C'); and

WHEREAS, The following zoning and land uses surround the subject properties:

North: Residential properties that are zoned R-3/Low Density Multifamily Residential District.

South: Residential properties, a parking lot, several drive-in/fast-food restaurants and the Kanesville Tabernacle, all of which are zoned C-3/Commercial District.

East: Charles E. Lakin YMCA and CHI Health Mercy hospital, which are both zoned A-P/Administrative-Professional District.

West: Residential properties that are zoned R-3/Low Density Multifamily Residential District; and

WHEREAS, All City Departments and local utilities were notified and no objections were received. Also, public notices were mailed to all property owners within 200 feet of the request and owners submitted the following comments:

- Brenda Dollen, owner of 201 Benton Street, contacted the Community Development Department and had an inquiry regarding on-street parking along Harmony Street.
- Marcia and Tom Bouska, owners of 218 Harmony Street, contacted the Community Development and stated they are aware of the YMCA's need for additional parking. They also stated that the vacation of Baughn Street will increase traffic on Harmony Street. They request that parking be limited to one side of Harmony Street (see Attachment 'F'); and

WHEREAS, The following comments were received for this reclassification:

A. The A-P district is intended and designed to provide, in certain areas in the city, for the development of institutional public/semi-public uses that are arranged in a campus-style setting, with heavy public traffic volumes and multiple frontages, such as the Charles E. Lakin YMCA.

B. If approved, the proposed rezoning will provide one consistent zoning classification for the expanded YMCA campus.

C. As part of the YMCA expansion project, the applicant shall be required to replat the subject properties, the current YMCA site, and the portion of Baughn Street right-of-way proposed to be vacated into two lots of record.

1. The YMCA of Greater Omaha owns the properties proposed to be rezoned; however, they do not own 235 Harmony Street. Said parcel is owned by Alegent Health-Bergan Mercy. The applicant has a zero cost land-lease agreement with Alegent Health-Bergan Mercy to operate the Charles E. Lakin YMCA. The first lot will be owned by the YMCA of Greater Omaha and the other lot will be owned by Alegent Health-Bergan Mercy. Both YMCA and Alegent Health-Bergan Mercy shall be signatories on the plat, and each shall prepare separate attorney's opinion of title for the land they respectively own within the subdivision plat boundary.
2. Said two-lot subdivision shall be subject to the approval of the proposed vacation of Baughn Street right-of-way (see Case #SAV-20-004 below).

D. The expanded YMCA campus will contain 182,144.6 square feet (4.18 acres), more or less, in area, which exceeds the minimum lot size requirements in the A-P/Administrative-Professional District.

E. The Charles E. Lakin YMCA, along with the proposed outdoor recreational amenities, is considered a 'commercial recreation (indoor and outdoor)' establishment. 'Commercial recreation (indoor and outdoor)' is a conditional use in the A-P District. The applicant shall obtain a conditional use permit (CUP) from the Zoning Board of Adjustment as part of the YMCA expansion project. Both YMCA and Alegent Health-Bergan Mercy shall be signatories on the CUP application.

F. The Bluffs Tomorrow: 2030 Plan (Comprehensive Plan) designates the subject properties as Low Density Residential. The proposed comprehensive plan amendment to Local Commercial would ensure the future land use classification of the subject properties is consistent with the future land use classification of the current YMCA site, as well as with the proposed rezoning to the A-P District and the 'commercial recreation (indoor and outdoor)' land uses.

G. Adequate utilities (e.g., water, sanitary sewer, electric, etc.) are available to accommodate the uses permitted in the A-P District; and

WHEREAS, The Community Development Department recommends approval of the request to amend the future land use plan of the Bluffs Tomorrow: 2030 Plan (Comprehensive Plan) by reclassifying properties legally described as Lots 6 through 11, Baughn's Subdivision of Lot 8, Original Plat of Council Bluffs, Pottawattamie County, Iowa, EXCEPT East Kanesville Boulevard right-of-way, from Low Density Residential to Local Commercial, based on the reasons stated above.

NOW, THEREFORE, BE IT RESOLVED
BY THE CITY COUNCIL
OF THE
CITY OF COUNCIL BLUFFS, IOWA

That the amendment to the Bluffs Tomorrow: 2030 Plan (Comprehensive Plan) specifically by reclassifying properties legally described as Lots 6 through 11, Baughn's Subdivision of Lot 8, Original Plat of Council Bluffs, Pottawattamie County, Iowa, EXCEPT East Kanesville Boulevard right-of-way, from Low Density Residential to Local Commercial is hereby approved and will become effective upon the approval of the rezoning of these properties as well as the vacation and disposal of Baughn Street right-of way lying between harmony Street and East Kanesville Boulevard.

ADOPTED
AND December 14, 2020.
APPROVED

_____
MATTHEW J. WALSH Mayor

Attest: _____
JODI QUAKENBUSH City Clerk