City Council Communication

Department: Community Development CASE #CP-21-001 Applicant: City of Council Bluffs	Resolution No. _____	City Council: 05/24/2021 Planning Commission: 05/06/2021

Subject/Title

Request: Public hearing on the request of the City of Council Bluffs to amend the future land use plan of the Bluffs Tomorrow: 2030 Plan (Comprehensive Plan) by reclassifying properties legally described as part of Lots 1 and 3, Auditor's Subdivision of the SE1/4 SW1/4, and part of Lots 3 and 6, Auditor's Subdivision of the NE1/4 SW1/4, all in Section 32-75-43, City of Council Bluffs, Pottawattamie County, Iowa from Public Park to Local Commercial, and reclassifying properties legally described as Lot 3, New Horizon Subdivision along with Lots 1-5 and Outlot A, New Horizon Subdivision, Replat 2, and Lot 2, Arbor Creek Subdivision, and part of the NW1/4 SW1/4 and part of the SW1/4 NW1/4 all in Section 28-75-43, City of Council Bluffs, Pottawattamie County, being more particularly described as: Commencing 161.68' North and 804.37' East of the southwest corner of the SW1/4 NW1/4 of Section 28-75-43, thence easterly 177.32', then southerly 272.07', thence southwesterly 156.87', thence northwesterly 43.14', thence northeasterly 33', then northwesterly 250' back to point of beginning, from Rural Residential/Agriculture to Medium Density Residential; and reclassifying properties legally described as Lot 1, Arbor Creek Subdivision and Lot 1, New Horizon Subdivision Replat 1, all in the City of Council Bluffs, Pottawattamie County, Iowa from Rural Residential/Agriculture to Public/Semi-Public.

Locations: 1288 Valley View Drive, 4 Valley View Drive, 16 Valley View Drive, 1621 College Road, 1681 College Road, 1020 Railroad Avenue, undeveloped land located at the northwest corner of Railroad Avenue and College Road, and undeveloped land located between 4 Valley View Drive and 1681 College Road.

Background/Discussion

The Community Development Department proposes to amend the future land use plan of the Bluffs Tomorrow: 2030 Comprehensive Plan by reclassifying properties legally described above and shown on Attachment 'A' from their current land use designations to designations that are consistent with their existing and/or planned development pattern.

Chapter 5: Land Use Plan of the Bluffs Tomorrow: 2030 Comprehensive Plan outlines how properties in different parts of the City's planning area should be used, and identifies the type, character, and intensity of use for all areas of the community. The intent of the land use plan is to ensure that future development takes into account land use compatibility, access, market viability, environmental features, and community services. The proposed amendments to the future land use plan **will not** change the underlying zoning classifications or the land uses allowed on the subject properties.

The subject properties included in this request are as follows:
Area 1 – Northeast corner of the intersection of Valley View Drive and College Road.
Existing land uses in Area 1 include undeveloped land, St. Patrick's Catholic Church, Prairie Gate Senior Living, Immanuel Graceview Senior Living, and a single-family residential dwelling. All properties included in Area 1 have access to paved public roads (College Road and Valley View Drive) and public utilities (e.g., sanitary sewer and storm sewers).

Existing zoning for properties in Area 1 include a mixture of R-1/Single-Family Residential District, R-2/ Two-Family Residential District, and R-3/Low Density Multi-Family Residential District. Additionally, the City has appended a Planned Residential Overlay and adopted planned residential development plans for Prairie Gate Senior Living (Lot 3, New Horizon Subdivision), along with Immanuel Graceview Senior and undeveloped

land to the west (Lots 1 through 5, and Outlot A, New Horizon Subdivision, Replat 2). All of the undeveloped land in said Area 1 have approved subdivision and planned residential development plans for new single-family and/or multi-family dwellings. The existing single-family dwelling at 1621 College Road is included in this request as it has potential to be redeveloped as part of the approved New Horizon Subdivision, Replat 3 which will consist of 36 townhomes (see CASE #SUB-17-009(M)).

The proposed land use changes in Area 1 are shown on Attachment 'A' and are described as follows:

1. St. Patrick's Catholic Church (4 Valley View Drive. Legal Description: Lot 1, New Horizon Subdivision, Replat 1) from Rural Residential/Agriculture to Public/Semi-Public;
2. Prairie Gate Senior Living (16 Valley View Drive. Legal Description: Lot 3, New Horizon Subdivision) from Rural Residential/Agriculture to Medium Density Residential;
3. Joseph and Lou Ann Gibler residence (1621 College Road. Legal Description: Part of the NW1/4 SW1/4 and part of the SW1/4 NW1/4 all in Section 28-75-43, City of Council Bluffs, Pottawattamie County, being more particularly described as: Commencing 161.68' North and 804.37' East of the southwest corner of the SW1/4 NW1/4 of Section 28-75-43, thence easterly 177.32', then southerly 272.07', thence southwesterly 156.87', thence northwesterly 43.14', thence northeasterly 33', then northwesterly 250' back to point of beginning) from Rural Residential/Agriculture to Medium Density Residential;
4. Immanuel Graceview Senior Living (1681 College Road. Legal Description: Lots 1 through 4, New Horizon Subdivision, Replat 2) from Rural Residential/Agriculture to Medium Density Residential; and
5. Undeveloped land legally described as Lot 5 and Outlot A, New Horizon Subdivision, Replat 2 from Rural Residential/Agriculture to Medium Density Residential.

Area 2 – Northwest corner of the intersection of College Road and Railroad Avenue.
Area 2 is comprised of Lots 1 and 2, Arbor Creek Subdivision and is designated as Rural Residential/Agriculture with Loess Hills Preservation Area along the westerly boundary of said lots. Both lots are zoned A-2/Parks, Estates, and Agricultural District; however the owner of Lot 2, Arbor Creek is in the process of rezoning the property from A-2 District to R-2/Two-Family Residential District. All properties within said Area 2 have access to paved public roadways (College Road and/or Valley View Drive) and public utilities (e.g., sanitary sewer and storm sewers).

Midlands Humane Society along with the Council Bluffs' Animal Control office operate on Lot 1, Arbor Creek Subdivision. The Community Development Department proposes to change the future land use designation of Lot 1, Arbor Creek Subdivision from Rural Residential/Agriculture to Public/Semi-Public as the property is being used for public/semi-public purposes.

Lot 2, Arbor Creek Subdivision was recently purchased by Mr. Neal Drickey from the City of Council Bluffs (see OTB-20-015). Mr. Drickey is currently in the process of seeking City approvals to rezone said property from A-2/Parks, Estates, and Agriculture District to R-2/Two-Family Residential District; append and adopt a PR/Planned Residential Overlay; and preliminary plan approval for a 27-lot residential subdivision to be known as Arbor Creek 2nd Addition (see Cases #SUB-21-005, PR-21-001, and ZC-21-002). Mr. Drickey and his development team plan to construct a mixture of single-family detached dwellings and townhome dwellings within the proposed Arbor Creek 2nd Addition subdivision. Public hearings for these cases are scheduled for the May 10, 2021 City Council meeting. The Community Development Department proposes to change the future land use designation of Lot 2, Arbor Creek Subdivision from Rural Residential/Agriculture to Medium Density Residential based on recent development trends within the general vicinity of this area (e.g. College Road/Valley View intersection), and because the land has access to existing infrastructure to be developed with a mixture of low-to-medium density housing (e.g., single-family detached, single-family attached, and townhomes).

Area 3 – Land lying west of Valley View Drive, east of Mosquito Creek, and immediately north/south of the intersection of Mall Drive and Valley View Drive, and being legally described as part of Lots 1 and 3, Auditor's Subdivision of the SE1/4 SW1/4, and part of Lots 3 and 6, Auditor's Subdivision of the NE1/4 SW1/4, all in Section 32-75-43, City of Council Bluffs, Pottawattamie County, Iowa.

The land within Area 3 is owned by NX Council Bluffs MOB, LLC and is comprised of the CHI Clinic (1288 Valley View Drive) and undeveloped land. All of the land is zoned C-2/Commercial District and is designated as a Public Park. On April 12, 2021, the Council Bluffs City Council approved a request by the property owner to subdivide the land within Area 3 into a two-lot commercial subdivision to be known as Council Bluffs Medical Park (see CASE #SUB-21-004, Resolution No. 21-102). The land in Area 3 has access to a paved public road (Valley View Drive) and existing utilities (e.g., sanitary sewer and storm sewer).

Area 3 is located entirely within an AE Flood Zone and partially within a floodway, based on FEMA flood map panels 19155CO577E and 9155CO414E dated 2/4/2005. The land was designated as a Public Park because it was undeveloped and seen as a possible expansion of Valley View Park. The property is now privately owned by NX Council Bluffs MOB, LLC and is being developed with medical clinic/office uses. The City has no interest acquiring this property for an expansion of Valley View Park and recommends the designation be changed to Local Commercial, which is consistent with the designation of properties to the immediate east (e.g., Frontier Bank and Valley View Village).

Comments

1. The Bluffs Tomorrow: 2030 Comprehensive Plan serves as a guide for policy makers, developers, residents, and business owners in implementing physical improvements, enhanced mobility, and new development within the City. The future land use plan of the Bluffs Tomorrow: 2030 Comprehensive Plan sets forth policies for land use and development at a City-wide level. The Plan also includes specific policies and strategies for the City's residential, commercial, and industrial areas; and provides the basic framework upon which the Bluffs Tomorrow: 2030 Plan is built, by coordinating the appropriate designation for 1) residential, 2) commercial, 3) industrial, and 4) open spaces and public areas throughout the community.
2. The Bluffs Tomorrow: 2030 Plan is not a regulatory document, therefore changes made to the future land use plan **do not** result in a change of zone or allowed land uses on properties within the City. All underlying zoning districts and allowed land uses on properties included in this request will remain the same if the proposed land use plan amendments are approved by City Council. Furthermore, the proposed changes are being requested so that the City's future land use plan is consistent with existing and/or planned development on the subject properties.
3. Per Chapter 5, Land Use Plan of the Bluffs Tomorrow: 2030 Plan, the Rural Residential/Agricultural areas include *"large-lot housing, estates, farmhouses, agricultural activities, and uses that support farming. These area and estates typically develop in an unplanned manner along rural roadways. Agricultural uses include crop and livestock production, as well as storage, processing, and other uses related to farming operations"*.
4. Per Chapter 5, Land Use Plan of the Bluffs Tomorrow: 2030 Plan, the Medium-density Residential areas *"include a series of lots with one or more single family units that may share a wall, typically arranged horizontally with a dedicated entrance for each housing unit. These include duplexes and townhomes, though small-lot detached single-family or limited multi-family development may be present in these areas"*.
5. Per Chapter 5, Land Use Plan of the Bluffs Tomorrow: 2030 Plan, the Public/Semi-Public areas includes *"areas that support activities for the benefit of the general public. These include schools, places of worship, libraries, government offices, social service providers, etc."*

Recommendation

The Community Development Department recommends approval to amend the Future Land Use Plan of the Bluffs Tomorrow: 2030 Comprehensive Plan as shown on Attachment 'A' and as follows:

- Reclassifying properties legally described as part of Lots 1 and 3, Auditor's Subdivision of the SE1/4 SW1/4, and part of Lots 3 and 6, Auditor's Subdivision of the NE1/4 SW1/4, all in Section 32-75-43, City of Council Bluffs, Pottawattamie County, Iowa from Public Park to Local Commercial;
- Reclassifying properties legally described as Lot 3, New Horizon Subdivision along with Lots 1-5 and Outlot A, New Horizon Subdivision, Replat 2, and Lot 2, Arbor Creek Subdivision, and part of the NW1/4

SW1/4 and part of the SW1/4 NW1/4 all in Section 28-75-43, City of Council Bluffs, Pottawattamie County, being more particularly described as: Commencing 161.68' North and 804.37' East of the southwest corner of the SW1/4 NW1/4 of Section 28-75-43, thence easterly 177.32', then southerly 272.07', thence southwesterly 156.87', thence northwesterly 43.14', thence northeasterly 33', then northwesterly 250' back to point of beginning, from Rural Residential/Agriculture to Medium Density Residential; and

- Reclassifying properties legally described as Lot 1, Arbor Creek Subdivision and Lot 1, New Horizon Subdivision Replat 1, all in the City of Council Bluffs, Pottawattamie County, Iowa from Rural Residential/Agriculture to Public/Semi-Public.

Public Hearing

Staff speaker for the request:

1. Christopher Gibbons, Planning Manager, City of Council Bluffs, 209 Pearl Street, Council Bluffs, Iowa 51503

Speakers in favor: None

Speakers against: None

Planning Commission Recommendation

The Planning Commission recommended approval to amend the Future Land Use Plan of the Bluffs Tomorrow: 2030 Comprehensive Plan as shown on Attachment 'A' and as follows:

- Reclassifying properties legally described as part of Lots 1 and 3, Auditor's Subdivision of the SE1/4 SW1/4, and part of Lots 3 and 6, Auditor's Subdivision of the NE1/4 SW1/4, all in Section 32-75-43, City of Council Bluffs, Pottawattamie County, Iowa from Public Park to Local Commercial;
- Reclassifying properties legally described as Lot 3, New Horizon Subdivision along with Lots 1-5 and Outlot A, New Horizon Subdivision, Replat 2, and Lot 2, Arbor Creek Subdivision, and part of the NW1/4 SW1/4 and part of the SW1/4 NW1/4 all in Section 28-75-43, City of Council Bluffs, Pottawattamie County, being more particularly described as: Commencing 161.68' North and 804.37' East of the southwest corner of the SW1/4 NW1/4 of Section 28-75-43, thence easterly 177.32', then southerly 272.07', thence southwesterly 156.87', thence northwesterly 43.14', thence northeasterly 33', then northwesterly 250' back to point of beginning, from Rural Residential/Agriculture to Medium Density Residential; and
- Reclassifying properties legally described as Lot 1, Arbor Creek Subdivision and Lot 1, New Horizon Subdivision Replat 1, all in the City of Council Bluffs, Pottawattamie County, Iowa from Rural Residential/Agriculture to Public/Semi-Public.

VOTE: AYE – Bass, Halm, Hutcheson, Rater, Scott, and Stroebele. NAY – None. ABSTAIN – None.
ABSENT - Danielsen, Haner, Rew, and VanHouten. VACANT - One Motion: Carried.

Attachments

Attachment A: Proposed Land Use Plan Amendment
Attachment B: Zoning maps for subject areas

Prepared by: Christopher Gibbons, AICP, Planning Manager