RESOLUTION NO. 21-166

A RESOLUTION TO AMEND THE *BLUFFS TOMORROW: 2030 PLAN (COMPREHENSIVE PLAN)*, SPECIFICALLY 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.

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 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; and

WHEREAS, 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:

A. 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;
B. Prairie Gate Senior Living (16 Valley View Drive. Legal Description: Lot 3, New Horizon Subdivision) from Rural Residential/Agriculture to Medium Density Residential;
C. 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;
D. 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
E. 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); and

WHEREAS, 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;
- 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.

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 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 by 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 by 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 is hereby approved.

ADOPTED
AND May 24, 2021.
APPROVED

_____
MATTHEW J. WALSH Mayor

Attest: _____
ALLISON HEAD Acting City Clerk