

Planning Commission Communication

<p>Department: Community Development</p> <p>CASE # ZC-17-008</p> <p>Applicant: Heritage Communities 11717 Burt Street Omaha, NE 68154</p> <p>Property Owner: Zella, LLC 16934 Frances Street, Suite 200 Omaha, NE 68130</p> <p>Representative: Olsson Associates c/o Katie Underwood 2111 South 67th Street, Suite 200 Omaha, NE 68106</p>	<p>Ordinance No. _____</p>	<p>Planning Commission: 01/09/18</p>
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Subject/Title

Request: Rezone property legally described as Parcel A of Lot 115, Fox Run Landing from A-P/Administrative-Professional District and C-2/Commercial District to A-P/Administrative-Professional District.

Location: Lying south of Veterans Memorial Highway and West of Council Pointe Road.

Background

The Community Development Department has received an application from Heritage Communities, on behalf of Zella, LLC, to rezone property legally described above from A-P/Administrative-Professional District and C-2/Commercial District to A-P/Administrative-Professional District (see Attachment A). The purpose of this request is to apply one consistent zoning designation over the entire parcel and to allow the applicant to develop a new senior living facility on the northeast section of the subject property.

The applicant has also proposed to subdivide the subject property into a two-lot minor commercial subdivision to be known as Fox Run Landing, Replat 3 (see Attachment B). A conceptual site plan for this subdivision indicates a new senior living facility and off-street parking will be located on proposed Lot 1, Fox Run Landing, Replat 3 (see Attachment C). Proposed Lot 2, Fox Run Landing, Replat 3 will be used for regional stormwater management and a new commercial development site. The Council Bluffs City Council will hold a public hearing on the proposed final plat on Monday, January 22, 2018.

Land Use and Zoning

The subject property is comprised of 20.51 acres of undeveloped land and that is "split-zoned" C-2/Commercial District and A-P/Administrative-Professional District (see Attachment D). Surrounding zoning in the general vicinity of the request includes A-2/Parks, Estates and Agricultural District to the north, A-P District and A-2 District to the south, C-2/Commercial District to the east and A-2 District to

the west. Existing land uses in the general vicinity of this request includes U.S. Highway 275 (Veterans Memorial Highway) and undeveloped land to the north, a senior living facility (Heritage at Fox Run) and a golf course to the south, undeveloped land to the east and a golf course retention pond to the west.

The future land use plan of the Bluffs Tomorrow 2030 (Comprehensive Plan) designates the subject property as Local Commercial and High Density Residential.

Public notices were mailed to all property owners within 200 feet of the request. No adverse comments have been received for this request as of the date of this report.

All City Departments and local utilities were notified of the proposed rezoning. No adverse comments have been received for this request as of the date of this report.

The following attachments are included with the case staff report:

- Attachment A: Location/zoning map
- Attachment B: Fox Run Landing, Replat 3 final plat
- Attachment C: Conceptual site plan layout for Fox Run Landing, Replat 3
- Attachment D: 2017 aerial photograph of the subject property and surrounding area.

Discussion

1. Rezoning the subject property from A-P/Administrative-Professional District and C-2/Commercial District to A-P/Administrative-Professional District will allow the applicant apply one set of zoning regulations to the property which will ensure it is developed in an orderly manner.
2. Per Section 15.13.010, *A-P/Administrative-Professional District, Statement of intent*, of the Council Bluffs Zoning Ordinance "*The A-P District is intended and designed to provide, in certain areas of the city, for the development of professional and low-intensity business offices and uses in areas where residential dwelling exist*". The subject property is located in the southwest quadrant of the City, which has a finite amount of property that is zoned A-P/Administrative-Professional District. Approval of the request would allow for a broader range of commercial and residential uses to locate in the southwest quadrant of the City, which would help diversify the City's tax base and provide new services for existing residents in this area.
3. Adequate utilities (e.g., water, sanitary sewer, electric, etc.) are available to accommodate new commercial use(s) on the subject property.
4. The proposed rezoning request is compatible with existing zoning designations and land uses in the general vicinity of the request.
5. The proposed rezoning is consistent with the future land use plan of the Bluffs Tomorrow: 2030 (Comprehensive Plan).

Recommendation

The Community Development Department recommends approval of the request to rezone property legally described as being Parcel A of Lot 115, Fox Run Landing from A-P/Administrative-Professional District and C-2/Commercial District to A-P/Administrative-Professional District, based on reasons stated above.

Prepared by: Christopher N. Gibbons, AICP, Planner