

Planning Commission Communication

Department: Community Development CASE # ZC-18-004 Owner/Applicant: HCC Investments, LLC 11040 Oakmont Overland Park, KS 66210 Representative: William A. White, Jr. Ehrhart Griffin & Associates 142 West Broadway, Suite 136 Council Bluffs, IA 51503	Ordinance No. _____	Planning Commission: 3/13/18
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Subject/Title

Request: Rezone approximately 10.743 acres of land legally described as a portion of the Southwest Quarter of the Southeast Quarter, a portion of the Northeast Quarter of the Southeast Quarter, and a portion of the Southeast Quarter of the Southeast Quarter, Section 34, Township 75 North, Range 43 West, Pottawattamie County, Iowa from a combination of R-3/Low-Density Multifamily Residential and C-1/Commercial District to R-1/Single Family Residential District.

Location: North of the Hills of Cedar Creek subdivision.

Background

The Community Development Department has received an application from HCC Investments, LLC, represented by William A. White, Jr. of Ehrhart Griffin and Associates, to rezone the property legally described as a portion of the Southwest Quarter of the Southeast Quarter, a portion of the Northeast Quarter of the Southeast Quarter, and a portion of the Southeast Quarter of the Southeast Quarter, Section 34, Township 75 North, Range 43 West, Pottawattamie County, Iowa, from a combination of R-3/Low-Density Multifamily Residential and C-1/Commercial District to R-1/Single Family Residential District. The property is comprised of 10.743 acres or currently undeveloped land. The rezoning of this property is requested to facilitate the future subdivision platting processes for the land, which will be a future phase of the Hills of Cedar Creek Subdivision.

Land Use and Zoning

Surrounding zoning includes primarily R-1/Single Family Residential to the South, East, and West. There is also area zoned C-1/Commercial District to the North, and R-3/Low-Density Multifamily Residential to the North and South. Existing land uses in the general vicinity of this request are residential to the South and West, and agricultural to the North and East.

The future land use plan of the Bluffs Tomorrow 2030 (comprehensive Plan) designates the subject property as Low-Density Residential.

Public notices were mailed to all property owners within 200 feet of the request. No comments were received for the request.

All City Departments and local utilities were notified of the proposed rezoning. The Council Bluffs Public

Works Department and Council Bluffs Water Works had no objections to the rezoning request. MidAmerican Energy stated they have no objections, but indicated there has been no agreement to extend electric distribution facilities to the area at this time.

The following attachments are included with the case staff report:

- Attachment A: Location/zoning map
- Attachment B: Applicant's Submitted Site Plan
- Attachment C: Site Photos

Discussion

1. If approved, the subject properties will be zoned in the same district as properties located in the area.
2. The proposed rezoning will be consistent with the Bluffs Tomorrow 2030: Land Use Plan.
3. Adequate utilities (e.g., water, sanitary sewer, electric, etc.) are available to accommodate commercial use(s) on the subject property.
4. The applicant will be required to satisfy preliminary and final plat requirements prior to any construction activities on the property.

Recommendation

The Community Development Department recommends approval of the request to rezone property legally described as a portion of the Southwest Quarter of the Southeast Quarter, a portion of the Northeast Quarter of the Southeast Quarter, and a portion of the Southeast Quarter of the Southeast Quarter, Section 34, Township 75 North, Range 43 West, Pottawattamie County, Iowa from a combination of R-3/Low-Density Multifamily Residential and C-1/Commercial District to R-1/Single Family Residential District., based on reasons stated above.

Attachments

Attachment A: Location/zoning map
Attachment B: Applicant's Letter of Intent
Attachment C: Site Photos

Prepared by: Chris Meeks, Planner