City Council Communication

Department: Community Development CASE #ZT-23-002 Applicant: Community Development Department	Ordinance No. _____	1st Consideration: 7/24/2023 2nd Consideration: 8/14/2023 3rd Consideration: 8/28/2023 Planning Commission: 7/11/2023

Subject/Title

Request: Public hearing on the request of the Community Development Department to amend Sections 15.32A.040, *Applicability of the West Broadway Corridor Design Overlay*, 15.32A.080, *Architecture*, 15.32A.090, *Landscaping and Streetscapes*, 15.32A.120, *Screening and Buffering*, of the Council Bluffs Municipal Code (Zoning Ordinance) and adding a new Section 15.32A.140a relative to the West Broadway Corridor Design Overlay.

Background

Chapter 15.32A, *West Broadway Corridor Design Overlay*, was adopted by Ordinance No. 6427 on October 12, 2020 and aimed to achieve the goals and intent of the adopted West Broadway Corridor Plan, which is to create a vibrant urban corridor that supports multi-modal transportation options, mixed-use development, and architecture that enhances the visual attractiveness and quality of life of the City of Council Bluffs. The ordinance regulates the following categories within the West Broadway Corridor Design Overlay (CDO): land uses, building placement, architecture, landscaping, streetscapes, pedestrian and vehicular access, lighting, screening and buffering, fences, walls, and signage.

Throughout the past three years of implementation of Chapter 15.32A, staff has identified opportunities to provide additional clarity and flexibility in the design standards that meet the spirit and intent of the West Broadway CDO. At this time, the Community Development Department is requesting to amend Title 15: Zoning of the Council Bluffs Municipal Code (Zoning Ordinance) by updating Chapter 15.32A, *West Broadway Corridor Design Overlay*, as identified in Attachment 'A' and as described below:

- Amend Section 15.32A.040, *Applicability*, by adding language on the applicability of design standards to townhome developments within the West Broadway CDO;

  While townhome developments are similar in size and scale to small multifamily developments, under the current standards, a townhome development could be constructed in the CDO without adhering to any design requirements. The proposed amendment requires that "new construction of townhomes shall not be subject to the full extent of the design standards within this Chapter, but shall be designed in a manner that is consistent with the spirit and intent of the West Broadway CDO, with particular emphasis on building placement, architectural materials and design, and pedestrian and vehicular access." Specific design requirements for townhome developments in the West Broadway CDO will be determined on a case-by-case basis based on the property's location within the corridor.

- Amend Section 15.32A.080, *Architecture*, by adding options for flexibility in architectural requirements, including language on the use of murals in the West Broadway CDO;

Durable materials – The current standards require that West Broadway and major Street facing facades contain a minimum of 60 percent durable materials and minor Street facing facades contain a minimum of 40 percent durable materials. The proposed language allows for the percentage of excess durable materials on major facades to count towards the minimum required durable materials on another facade. At minimum, each minor façade shall be comprised of 20 percent durable materials. City staff shall work with property owners to prioritize which facades would be most appropriate to allocate excess materials.

Murals –While the existing design standards are easily achievable with new construction projects, incorporating all required architectural elements in retrofitting or additions to existing buildings has proved to be difficult, and at times, impossible. The proposed section adds murals as an additional option available to property owners to meet West Broadway CDO architectural requirements. Murals can only be utilized to meet architectural requirements when it is demonstrated that meeting said requirements is not feasible due to building placement and/or internal building layout. This section includes guidance on the size, design, placement and maintenance of murals utilized in lieu of architectural requirements.

Note: This section only applies to murals being utilized in lieu of other architectural requirements. Murals otherwise utilized within the West Broadway CDO are not subject to the requirements of the proposed section.

- Amend Section 15.32A.090, *Landscaping and Streetscapes*, by adding clarifying language on required shrub and tree planting species;

  The propose edits 1) clarify the use of one foundation planting per lineal foot, rather than one tree per lineal foot; 2) note an approved shrub list for plantings in the West Broadway CDO (include as Attachment 'B')' and 3), specifies that street trees planted in frontage strips shall be as designated in the Council Bluffs Street Tree Guide.

- Amend Section 15.32A.120, *Screening and Buffering*, by referencing a planting list document; and

  The proposed minor edit references the approved shrub list, included with this report as Attachment 'B'.

- Adding a new Section 15.32A.140a, *Other Regulations*, to include language on elevated vehicle display.

  The West Broadway CDO prohibits certain land uses, including automotive sales and rental, which are not conducive to a vibrant urban corridor. Existing automobile sales lots within the West Broadway CDO are considered legal nonconforming uses, subject to the standards in Section 15.26, Nonconformities of the CBMC (Zoning Ordinance). Based on staff observation, several of the existing automobile sales lots within the West Broadway CDO have recently begun utilizing elevated vehicle displays for the purpose of advertising used vehicles for sale. These types of displays are not compatible with a vibrant, mixed-use urban corridor; therefore, the proposed language prohibits their use within the West Broadway CDO. If adopted, the proposed standards would prohibit any additional elevated vehicle displays within the West Broadway CDO. Existing displays could remain as legal nonconforming structures.

All City Departments and local utilities were notified of the proposed text amendment. No adverse comments were received as of the date of this report.

Recommendation

The Community Development Department recommends approval to amend Sections 15.32A.040, *Applicability of the West Broadway Corridor Design Overlay*, 15.32A.080, *Architecture,* 15.32A.090, *Landscaping and Streetscapes*, 15.32A.120, *Screening and Buffering*, of the Council Bluffs Municipal Code (Zoning Ordinance) and adding a new Section 15.32A.140a, as stated above and in Attachment 'A', relative to the West Broadway Corridor Design Overlay.

Public Hearing

Staff speakers for the request:

1. Haley Weber, Planner, City of Council Bluffs, 209 Pearl Street, Council Bluffs, IA 51503
2. Christopher Gibbons, Planning Manager, City of Council Bluffs, 209 Pearl Street, Council Bluffs, IA 51503
3. Courtney Harter, Director of Community Development, City of Council Bluff, 209 Pearl Street, Council Bluffs, IA 51503

Speakers in favor: None

Speakers against: None

Speakers asking general questions: Andrew Morris, 25017 Emile Court, Waterloo, NE 68069

The City Planning Commission recommended approval to amend Sections 15.32A.040, *Applicability of the West Broadway Corridor Design Overlay*, 15.32A.080, *Architecture*, 15.32A.090, *Landscaping and Streetscapes*, 15.32A.120, *Screening and Buffering*, of the Council Bluffs Municipal Code (Zoning Ordinance) and adding a new Section 15.32A.140a, as stated above and in Attachment 'A', relative to the West Broadway Corridor Design Overlay.

VOTE: AYE – Bass, Bailey, Hutcheson, Knauss, Opperman, Rater, Rew, Stroebele, and Van Houten. NAY - None ABSTAIN – None. ABSENT – None. VACANT - Two Motion: Carried.

Attachments

Attachment A: Proposed Text Amendment
Attachment B: Approved Shrub List

Prepared by: Haley Weber, Planner, Community Development Department