RESOLUTION NO. 23-249

A RESOLUTION TO ADOPT AN ASSOCIATED RESIDENTIAL DEVELOPMENT PLAN ON PROPERTY LEGALLY DESCRIBED AS BEING A REPLAT OF ALL OF LOT 1, LOT 4, AND LOT 5 ALL IN BAYLISS 1ST ADDITION AUDITORS SUBDIVISION OF LOT 11, BLOCK 11 AND LOTS 1, 2 AND 3, BLOCK 2, BAYLISS 2ND ADDITION, AND ALL OF LOT 12 AND THE WEST HALF OF LOT 13 IN BAYLISS 1ST ADDITION, CITY OF COUNCIL BLUFFS, POTTAWATTAMIE COUNTY, IOWA, TO BE KNOWN AS BALDWIN COURT.

WHEREAS, Habitat for Humanity of Council Bluffs is requesting an associated residential development plan on undeveloped land located immediately north and east of 119 S. 8th Street, as legally described above; and

WHEREAS, A request for PR-2 Planned Residential Overlay on this property is also under consideration before this Council; and

WHEREAS, The Community Development Department provided the following comments:

A. The subject properties are located in the downtown periphery, within walking and biking distance to jobs, services, retail, and recreational opportunities within Downtown Council Bluffs. Additionally, the subject properties are located along 1st Avenue, which is a potential future streetcar route, providing an additional mode of transportation to access the jobs, services, retail, and recreational opportunities located in Downtown Omaha, the West Broadway Corridor, and Downtown Council Bluffs and Downtown Omaha. Rezoning the properties to R-3 allows for additional housing units within the downtown periphery to support a successful public transit system and thriving downtown.

B. The subject area is a uniquely shaped infill site within the downtown area surrounded by existing development. The planned residential overlay is needed to develop the subject properties in a manner that is feasible and compatible in a downtown setting. The PR-2 overlay allows the development to achieve the reduced setbacks, urban scale, and pedestrian oriented design as discussed by Habitat for Humanity of Council Bluffs and the City throughout the design process.

C. The applicant proposes to append a PR-2/Planned Residential Overlay over the entirety of the subject property in order to establish site-specific development standards to allow the proposed residential development to be built in an R-3/Low Density Multifamily District. The following items regulate the development of the subject property:

1. Site Development

a. Per Section 15.28.020, Applicability, of the CBMC, the maximum land area allowed for a PR-2 Overlay is 1.5 acres. The subject properties contain a total of 0.767 acres, which qualifies for use of a PR-2 Overlay.

b. Per Section 15.28.020, Applicability, of the CBMC, *"at least one of the following shall be included within the development:*
   (1) A minimum of two (2) residential structures.
   (2) A minimum of one (1) residential structure that contains a minimum of three (3) dwelling units.
   (3) A minimum of one (1) mixed commercial-residential structure."

   The proposed development contains one structure with four dwelling units (townhomes) and one structure with two dwelling units (single-family attached) and therefore qualifies for use of a PR-2 Overlay.

c. The following site development standards shall apply to the proposed townhome development:
   (1) The front yard setback shall be 10 feet. No accessory structures shall be located between the front wall of the townhome and the front property line.
   (2) The street side yard setback shall be 15 feet.
   (3) The interior side yard setback shall be 5 feet except for where a lot line coincides with a common wall separating units.
   (4) The rear yard setback shall be 20 feet.
   (5) Accessory structures, decks, porches, awnings, or other similar features, shall be no closer than five (5) feet to any property line.
   (6) The maximum lot coverage shall be 60 percent for each individual lot.
   (7) Maximum height shall comply with R-3 District standards, per Section 15.10.050 of the CBMC (Zoning Ordinance).

d. All utilities shall be installed underground. Any cost to remove, relocate, modify, and/or extend utilities to this site shall be at the sole cost of the developer and not the City.

e. A homeowner's association (HOA) shall be established through the subdivision process for maintenance of utilities and easements, all greenspace area, building architecture, and private road maintenance.

2. Off-Street Parking

a. Per Section 15.23.060, Parking Spaces Required, of the Council Bluffs Municipal Code (Zoning Ordinance) the required number of off-street parking spaces for townhomes and single-family attached dwellings is 2 spaces per dwelling unit. The six-proposed dwelling units would require a total of twelve (12) off-street parking spaces. The submitted floor plan shows a 19'4" x 22' garage for each unit. While this dimension meets the minimum size required for two parking spaces, parking two vehicles in the proposed garages would leave extremely limited space for additional maneuverability and/or

storage space. Additionally, based on the development's location in the downtown setting, walkability, and close proximity to multiple Metro bus stops, the Community Development Department recommends that a minimum of one off-street parking space be required for each unit.

b. All driveways shall be hard surfaced paved and designed to meet all applicable City standards.

3. Architecture

a. The front façade facing 1st Avenue will utilize smooth hardboard siding as the primary material, with a mixture of 4" lap siding, 8" lap siding, and stone veneer as accent materials. The front façade is further characterized by slanted roof lines, wall offsets, and first and second floor windows. The rear elevations are comprised of 8" lap siding with a stone veneer base and first and second story windows. The proposed side elevation facing S. 8th Street and is comprised of a stone veneer base and 8" lap siding on the first floor and smooth hardboard siding on the second floor. The east elevation (internal facing) is comprised of 8" lap siding on the first floor, smooth hardboard siding on the second floor, and a small first floor window. All siding shall be non-vinyl siding. The building elevations are included as Attachment 'F.' The proposed architectural plans are generally acceptable in design and layout and shall be adopted as submitted, with the following exceptions:

(1) The side/interior facing elevations shall include a minimum two-foot tall stone veneer, as shown on all other elevations.

(2) Additional 1st and 2nd floor transparency shall be incorporated into west façade of Lots 1 and 5 and the east facades of Lots 4 and 6, where practicable. The total amount and placement of transparency shall be coordinated with the Community Development Department.

b. If any wall or ground equipment, including air conditioning units, are visible from adjacent public right-of-way, excluding alleys, they shall be screened from view using architectural features, fencing, masonry wall, landscaping, or a combination thereof.

c. The applicant is proposing a dumpster enclosure on Lot 7. All trash receptacles and/or dumpsters visible from a public right-of-way shall be enclosed on three sides with a masonry, wood, or vinyl fence and have a lockable gate that when closed completely eliminates view of the dumpster.

d. The proposed plans do not include any fencing. Any future fencing on the property shall conform to the standards listed in Section 15.24.040, *Fence Regulations*, of the CBMC (Zoning Ordinance).

e. Minor modifications shall be approved administratively by the Community Development Director or their designee.

4. Landscaping

a. The submitted landscaping plan, shown on Sheet L.01 in Attachment 'D,' shows a rain garden in the northwest corner of Lot 1, two shade trees along S. 8th Street and a mixture of shrub and perennial foundation plantings along the west façade of Lot 1 and the front facades of Lots 1-6 and is generally acceptable and shall be adopted as submitted, with the following modification:

(1) Street trees shall be planted along 1st Avenue frontage. Tree species, spacing, and quantity shall be determined by mutual agreement between Habitat for Humanity and the City and shall comply with the Council Bluffs Street Tree Guide, included as Attachment 'G.'

(2) The submitted landscaping plan identifies the percentage of green space for each individual lot. All green space on each lot shall be maintained as shown on the submitted landscaping plan.

(3) The proposed landscape beds are shown to utilize mulch and be planted with a mixture of shrubs and perennials. Landscape beds shall include both a ground cover material (mulch and/or river rock) and landscape plantings. Landscape beds void of plantings shall not be allowed.

b. All landscaping shall be appropriately maintained and dead plant material replaced at a time appropriate to planting seasons but in all cases shall be replaced within one year.

5. Signage

a. The submitted application included a sign rendering for a monument sign, included as Attachment 'H.' All signage (detached and attached) shall comply with Section 15.33.160(C), P-R/Planned Residential District Sign Regulations, of the Municipal Code (Zoning Ordinance); and

WHEREAS, The Community Development Department recommends approval of the request to adopt the associated residential development plan for the Baldwin Court, on property legally described as being a replat of all of Lot 1, Lot 4, and Lot 5 all in Bayliss 1st Addition Auditors Subdivision Lot 11, Block 11 and Lots 1, 2 and 3, Block 2, Bayliss 2nd Addition, and all of Lot 12 and the west half of Lot 13 in Bayliss 1st Addition, City of Council Bluffs, Pottawattamie County, Iowa, subject to the comments stated above and the following condition:

A. Any modifications to the approved development plan which substantially alter the design, layout, configuration, and/or appearance of the project shall be reviewed the City Planning Commission and approved by City Council prior to such changes being made. All minor modifications to the adopted development plan may be administratively approved by the Community Development Director or their designee.

**NOW, THEREFORE, BE IT RESOLVED
BY THE CITY COUNCIL
OF THE
CITY OF COUNCIL BLUFFS, IOWA**

That the associated planned residential development plan for the Baldwin Court, on property legally described as being a replat of all of Lot 1, Lot 4, and Lot 5 all in Bayliss 1st Addition Auditors Subdivision Lot 11, Block 11 and Lots 1, 2 and 3, Block 2, Bayliss 2nd Addition, and all of Lot 12 and the west half of Lot 13 in Bayliss 1st Addition, City of Council Bluffs, Pottawattamie County, Iowa is hereby adopted and approved.

ADOPTED
AND September 11, 2023.
APPROVED

_____
MATTHEW J. WALSH Mayor

Attest: _____
JODI QUAKENBUSH City Clerk