City Council Communication

Department: Community Development CASES #PR-23-007 and #ZC-23-016 Applicant: Union Development Holdings LLC 409 Massachusetts Avenue Suite 300 Indianapolis, IN 46204 Property Owner: G&A Properties LLC c/o Gregory S. Poor 526 Crescent Drive Crescent, IA 51526	Ordinance No. _____ Resolution No. _____ Ordinance No. _____	CASE #ZC-23-016 1st Consideration: 2/12/2024 2nd Consideration: 2/26/2024 3rd Consideration: 3/11/2024 CASE #PR-23-007 1st Consideration: 2/12/2024 2nd Consideration: 2/26/2024 3rd Consideration: 3/11/2024 CASE #PR-23-007 Development Plan: 3/11/2024 Planning Commission: 1/9/2024

Subject/Title

Request: Combined public hearings on the requests of Union Development Holdings LLC to append a planned residential overlay onto property legally described as Lots 1 and 2, Union at Bluffs Run, City of Council Bluffs, Pottawattamie County, Iowa, and to adopt the associated development plan, and to rezone property legally described as the West ½ of vacated South 20th Street right-of-way abutting Block 66, Railroad Addition, City of Council Bluffs, Pottawattamie County, Iowa from C-2/Commercial District to R-3/Low Density Multifamily Residential District.

Location: Undeveloped land lying north of 27th Avenue and west of South 19th Street

Background/Discussion

The Community Development Department has received the following requests from Union Development Holdings LLC:

A. **CASE #PR-23-007**: Append a planned residential overlay onto property legally described as Lots 1 and 2, Union at Bluffs Run, City of Council Bluffs, Pottawattamie County, Iowa, and to adopt the associated development plan.

B. **CASE #ZC-23-016**: Rezone property legally described as the West ½ of vacated South 20th Street right-of-way abutting Block 66, Railroad Addition, City of Council Bluffs, Pottawattamie County, Iowa from C-2/Commercial District to R-3/Low Density Multifamily Residential District.

The purpose of the request to append a planned residential overlay onto the subject property and adopt the associated development plan is to establish standards for site design, building placement, architecture, landscaping, off-street parking, and signage for a multifamily affordable housing development at the Union at Bluffs Run subdivision. The subject property contains 16.66 acres, more or less, of land, and thus is eligible for the adoption of a PR-1/General Master Planned Development Overlay (the minimum tract of land that can be considered for a PR-1 Overlay is 1 ½ acres). For zoning consistency purposes, the developer is also requesting to rezone the West ½ of vacated South 20th Street right-of-way abutting Block 66, Railroad Addition to ensure the entirety of the proposed multifamily residential development is zoned R-3/Low Density Multifamily Residential District.

The proposed multifamily residential development will be completed in two phases. The first phase will consist of 192 dwelling units in four three-story buildings on Lot 1, Union at Bluffs Run. Each building will contain a mixture of one-, two-, and three-bedroom apartments. The proposed multifamily buildings on Lot 1 are expected to be completed by Fall 2026. The second phase will be developed at a later date and will consist of three additional multifamily buildings on Lot 2, Union at Bluffs Run. Once the second phase is completed, the total number of dwelling units at this site will be 336. Income limits for tenants will be set at 60% of the area median income. Site amenities will include a community/fitness center, community space, a computer room, a playground, a dog park, and a picnic area.

CASE #ZC-23-016

The tract of land proposed to be rezoned is currently zoned C-2/Commercial District. The purpose of the proposed rezoning is to ensure the zoning designation for the entire Union at Bluffs Run development site is consistent. The developer is also requesting to append a PR-1 Overlay onto Lots 1 and 2, Union at Bluffs Run and to adopt the associated development plan in order to establish standards for site design, building placement, architecture, landscaping, off-street parking, and signage for the proposed multifamily residential development (see Case #PR-23-007).

Land Use and Zoning – The following zoning and land uses surround the subject property:

Direction	Existing Zoning Districts	Existing Land Uses
North	R-3/Low Density Multifamily Residential District	An apartment complex (Beacon Place Apartments), a church (Victory Fellowship Church), and single-family homes
South	I-2/General Industrial District	A trailer/truck repair shop (Complete Trailer Repair)
East	R-1/Single-Family Residential District	Single-family homes
West	C-2/Commercial District and P-C/Planned Commercial District	US District Courthouse and vacant land

The Future Land Use Plan of the Bluffs Tomorrow: 2030 Plan (Comprehensive Plan) designates the subject property as 'Low Density Residential.'

Property Owner Notification – Public notices were mailed to all property owners within 200 feet of the request. No comments were received as of the date of this report.

City Departments and Utilities – All appropriate City departments and utilities were notified of the proposed planned residential overlay. The following comments were received:

A. The Council Bluffs Public Works Department had the following comments:

1. Site stormwater management is required for both quantity and quality. The Public Works Department will continue to work with the Engineer of Record (EOR) on these requirements.

2. The Public Works Department will continue to work with the developer on the phasing of the required improvements to 27th Avenue.

3. South 22nd Street will need to be improved to a City standard. The Public Works Department will work with the developer concerning these improvements.

4. Roadway improvements to South 22nd Street and 27th Avenue shall be limited to the section of each public right-of-way that is adjacent to the boundary of the Union at Bluffs Run subdivision.

5. The Public Works Department will work with the EOR on the design standard and specifications of required improvements to utilities servicing the proposed development.

6. Sidewalks will be required along rights-of-way adjacent to platted roadway corridors.

B. The Council Bluffs Parks and Recreation Department noted that there are several gaps in the proposed sidewalk network for the development (see Attachment 'F'). They stated that the sidewalks should extend to a street or connect to a nearby sidewalk.

C. The Council Bluffs Police Department stated they have no comments on the request.

D. The Council Bluffs Fire Department stated they have no comments on the request.

E. Council Bluffs Water Works stated they have no comments on the request.

F. MidAmerican Energy stated they have no conflicts with the request. They also stated that the developer or their agents must contact MidAmerican Energy directly to identify costs, timelines, and dependencies associated with extending electric distribution facilities to supply the development.

Discussion

A. The developer has requested to rezone the West ½ of vacated South 20th Street right-of-way abutting Block 66, Railroad Addition from C-2/Commercial District to R-3/Low Density Multifamily Residential District. This vacated section of South 20th Street right-of-way is part of Lot 2, Union at Bluffs Run and will be included in the proposed multifamily residential development. All other land included in the Union at Bluffs Run subdivision is zoned R-3/Low Density Multifamily Residential District. The purpose of the proposed rezoning is to ensure the zoning designation for the entire Union at Bluffs Run development site is consistent.

B. The Future Land Use Plan of the Bluffs Tomorrow: 2030 Plan (Comprehensive Plan) designates the subject property as 'Low Density Residential.' As per the Bluffs Tomorrow: 2030 Plan, areas designated as 'Low Density Residential' may include "*attached or detached single-family, or multifamily developments… integrated into the character and structure of the overall neighborhood*." The proposed multifamily residential development is generally consistent with the 'Low Density Residential' designation.

C. Utility extensions (e.g., sanitary/storm sewers, water, gas, electric, etc.) will be required to service the proposed multifamily residential development.

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Section 15.28.010, Statement of Intent, PR/Planned Residential Overlay, of the Council Bluffs Municipal Code (Zoning Ordinance) states that *"the Planned Residential Overlay is established to permit flexibility in the use and design of structures and land in situations where conventional development may be inappropriate and where modifications of requirements of the underlying zone would not be inconsistent with the comprehensive plan or harmful to the surrounding neighborhoods."* The purpose of this request is to establish standards for site design,

building placement, architecture, landscaping, off-street parking, and signage for a multifamily affordable housing development at the Union at Bluffs Run subdivision.

A. Site Development

1. All principal and accessory structures shall be have a minimum perimeter setback of 10 feet

    a. The submitted site plan (Attachment 'C') shows that one multifamily building will have a zero-foot setback, which would encroach into the platted franchise utility easements. The layout of the site shall be revised to ensure all structures have a minimum 10-foot setback to all property lines.

2. The maximum height allowed for principal structures shall be 60 feet, in accordance with Section 15.10.050, Site Development Regulations, R-3/Low Density Multifamily Residential District, of the Council Bluffs Municipal Code (Zoning Ordinance).

3. The maximum height allowed for accessory structures shall be 18 feet, in accordance with Section 15.10.050, Site Development Regulations, R-3/Low Density Multifamily Residential District, of the Council Bluffs Municipal Code (Zoning Ordinance).

4. The maximum combined lot coverage for all structures shall not exceed 60% of the total lot area.

5. A minimum five-foot wide pedestrian way shall be provided from the primary entrance of each building to the nearest sidewalk, to the extent practical. The pedestrian way may be designated with pavement striping, landscaping, change in surface material, curb and/or grade separation, or some other alternative approved by the Community Development Department Director or his assign. It is encouraged that the pedestrian connection be incorporated into the overall layout of the lot.

6. Sidewalk installation along rights-of-way adjacent to platted roadway corridors shall be completed prior to issuance of the first Certificate of Occupancy on each lot, at no cost to the City. The applicant may install the sidewalks at the time of development or pay a fee in-lieu of the cost of sidewalk construction prior to issuance of a final certificate of occupancy.

7. All fences/walls shall be installed in accordance with Section 15.24.040, Fence Regulations, of the Council Bluffs Municipal Code (Zoning Ordinance).

8. Any solar energy conversion systems installed at this site shall be subject to Section 15.34.030, Solar Energy Conversion Systems, of the Council Bluffs Municipal Code (Zoning Ordinance).

9. All exterior lighting shall conform to Section 15.24.050, Lighting Controls, of the Council Bluffs Municipal Code (Zoning Ordinance). All outdoor light poles shall be limited to a maximum height of 25 feet, as measured from finished grade to the highest point of the pole structure. All light poles shall be painted or finished aluminum or steel. Wood poles shall not be allowed.

10. Outdoor storage of materials, products, equipment, or packaging shall not be permitted. This includes the semi-permanent and/or permanent placement of inter-modal storage/shipping containers.

11. 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. The Public Works Department will work with the engineer of record on the design standard and specifications of required improvements to utilities servicing the proposed development.

12. All grading and drainage activity for this development shall be completed in accordance with Public Works standards. Site stormwater management shall be required for both quantity and quality. The Public Works Department will continue to work with the engineer of record on these requirements.

13. South 22nd Street and 27th Avenue shall be improved to a City standard. The Public Works Department will work with the developer concerning these improvements. Roadway improvements to South 22nd Street and 27th Avenue shall be limited to the section of each public right-of-way that is adjacent to the boundary of the Union at Bluffs Run subdivision.

B. Off-Street Parking

1. The minimum number of off-street parking spaces shall be calculated using the parking requirements in Section 15.23.060, Parking Spaces Required, of the Council Bluffs Municipal Code (Zoning Ordinance). In cases where several uses occupy a structure or parcel of land, the total requirement for off-street parking shall be the sum of the requirement of the different uses.

    a. The minimum number of off-street parking spaces for multifamily dwellings is based on the number of dwelling units and the number of bedrooms in each unit; for the proposed community center, the number of required parking spaces is based on the maximum occupancy of the building. There is not sufficient information provided in the submitted application to calculate the number of required parking spaces for the proposed development. The submitted site plan (Attachment 'C') shows 488 parking spaces will be provided at this site. The applicant shall submit the information required to determine off-street parking requirements for the proposed development at the time of building permit application submittal. If necessary, the layout of the site shall be revised to ensure a sufficient amount of off-street parking is provided for the proposed multifamily residential development.

2. All off-street parking areas, driveways and drive aisles shall comply with the standards in Chapter 15.23, Off-Street Parking, Loading and Unloading, of the Council Bluffs Municipal Code (Zoning Ordinance), and Iowa's Statewide Urban Design and Specifications (SUDAS) manuals for public improvements.

3. All off-street parking lots shall comply with Chapter 661–18, Parking for Persons with Disabilities, of the Iowa Administrative Code.

4. Bicycle parking shall be incorporated into the overall layout of the site.

    a. Designated bicycle parking areas shall be located within 100 feet of, and clearly visible from, the main entrance of each building. If two buildings are located within close proximity of each other, the bicycle parking area for each building may be placed on the same location. Shared bicycle parking areas shall be located at an equal distance from the main entrance of each building.

    b. Bicycle racks shall be secured to the pavement in a location that does not conflict with pedestrian or vehicular circulation routes.

    c. Bicycle parking shall be provided at a rate of four bicycle parking spaces per building.

        i. The proposed development includes seven multifamily buildings and a community/fitness center, which equates to a minimum of 32 required bicycle parking spaces.

d. Bicycle parking shall be installed prior to the issuance of the Certificate of Occupancy for each building.

5. A parking lot permit shall be submitted with the building permit application for the proposed hospital, and shall include the number, location, and dimension of all drive aisles and spaces, bicycle parking, pedestrian ways, islands, landscaped areas, loading areas and lighting.

C. Landscaping

1. A landscaping plan shall be part of every building permit application. The plan shall clearly identify plant materials, quantity, and size and shall show dimensions of all areas to be landscaped.

2. A minimum of one deciduous shade tree shall be planted every 30 linear feet along the frontage abutting 27th Avenue. All tree species planted along the frontage of a public right-of-way shall comply with the Council Bluffs Street Tree Guide and be reviewed and approved by the City prior to installation.

3. A minimum of one deciduous shade tree shall be planted every 30 linear feet along the frontage abutting South 19th Street. All tree species planted along the frontage of a public right-of-way shall comply with the Council Bluffs Street Tree Guide and be reviewed and approved by the City prior to installation.

4. Not more than 10% of the landscaped area shall be of inorganic material such as brick, stone, aggregate, river rock, metal or artificial turf. Organic mulch may be used around trees and/or shrubs.

5. A minimum five foot-wide strip of landscaping, planted with trees, shrubs, and/or grass, shall be installed between the edge of all parking lot areas and any abutting property line. The five-foot wide strips may be included in the 10% requirement.

6. All parking lot islands shall be planted with a minimum of one canopy shade tree and ground cover vegetation (e.g., shrubs, sod, mulch, or river rock, etc.).

7. All disturbed areas without a specific landscape design shall be seeded with sod, turf, and/or prairie grass.

8. All trees shall have a minimum caliper width of two inches at the time of planting.

9. Landscaping shall not impede the vision of any automobile traffic entering/exiting or circulating on the subject property.

10. 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.

D. Architecture

1. Architectural renderings/elevations for the proposed multifamily dwellings are shown in Sheet IFA-13 of Attachment ‘D.’ The renderings show the exterior being constructed of a combination of brick, lap siding, vertical siding, and shingle siding . These materials are acceptable and shall be used in a combination and pattern generally consistent with the submitted renderings.

2. Architectural renderings/elevations for the proposed community center are shown in Sheet IFA-15 of Attachment ‘D.’ The renderings show the exterior being constructed primarily out of lap siding with a brick base along the foundation of the front façade and a vertical siding base along the foundation of

the rear façade. These materials are acceptable and shall be used in a combination and pattern generally consistent with the submitted renderings.

3. All rooftop mounted mechanical equipment that is visible from an adjacent public street right-of-way shall be screened from view using architectural design features.

4. All ground-mounted mechanical equipment that is visible from an adjacent public street right-of-way shall be completely screened from view using architectural design features, fencing, masonry wall, landscaping, or a combination thereof.

5. All trash receptacles visible from a public right-of-way shall be enclosed on three sides with a masonry, wood, or vinyl fence and shall be have a lockable gate that, when closed, completely eliminates view of the dumpster.

E. Signage

1. The total maximum amount of signage allowed shall be based on a calculation of one and one-half (1 ½) square feet of signage per each lineal foot of street frontage along a public street right-of-way or private drive.

2. The total amount of attached signage shall be limited to 15% of the building façade to which it is attached. Attached signage can be placed at any location on the building but shall not extend beyond any building wall or above the peak of the roof.

    a. As per the submitted signage plan (Attachment 'E'), one attached wall sign will be installed on the front façade of the community center. The proposed sign will contain 3.2 square feet in area. The size and location of the proposed attached wall sign are acceptable.

3. A maximum of one ground/monument neighborhood identification sign shall be allowed per entrance and shall be limited to a maximum height of 10 feet, as measured from finished grade to the highest point of the sign structure. The entire monument sign shall be counted as signage as measured from finished grade to the highest point of the monument and from one side of the monument structure to the other. The maximum sign area shall not exceed 50 square feet of signage per face.

    a. As per the submitted signage plan (Attachment 'E'), two monument signs will be installed for the proposed development. The first sign will contain 36.6 square feet in area and will measure three feet and eight and one-half inches in height. The second sign will contain 48 square feet in area and will measure six feet in height. One monument sign will be placed near the driveway entrance at the intersection of South 19th Street and 25th Avenue, and the other will be located near the intersection of South 22nd Street and 25th Avenue. The size, height, and location of the proposed monument signs are acceptable.

4. On-site directional/wayfinding signage shall count toward the overall amount of signage permitted on the subject property. Each sign shall be limited to a maximum height of six feet, as measured from finished grade to the highest point of the sign structure. The maximum sign area shall not exceed six square feet of signage per face.

5. No sign listed in Section 15.33.070, Prohibited Signs, of the Council Bluffs Municipal Code (Zoning Ordinance) shall be permitted.

6. A sign permit shall be submitted with every building permit application for any attached, detached and/or on-premise directional signage proposed to be installed on the subject property.

Recommendation

The Community Development Department recommends the following:

A. Approval of the request to append a planned residential overlay onto property legally described as Lots 1 and 2, Union at Bluffs Run, City of Council Bluffs, Pottawattamie County, Iowa, and to adopt the associated development plan, subject to the comments stated above and the following condition:

   1. 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.

B. Approval of the request to rezone property legally described as the West ½ of vacated South 20th Street right-of-way abutting Block 66, Railroad Addition, City of Council Bluffs, Pottawattamie County, Iowa from C-2/Commercial District to R-3/Low Density Multifamily Residential District, based on the reasons stated above.

Public Hearing

Staff speakers for the request:
1. Moises Monrroy, 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

Speaker in favor:
1. Elizabeth Hunter, 231 Bennett Avenue, Council Bluffs, IA 51503

Speakers against: None

The City Planning Commission recommended the following:

A. Approval of the request to append a planned residential overlay onto property legally described as Lots 1 and 2, Union at Bluffs Run, City of Council Bluffs, Pottawattamie County, Iowa, and to adopt the associated development plan, subject to the comments stated above and the following condition:

   1. 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.

B. Approval of the request to rezone property legally described as the West ½ of vacated South 20th Street right-of-way abutting Block 66, Railroad Addition, City of Council Bluffs, Pottawattamie County, Iowa from C-2/Commercial District to R-3/Low Density Multifamily Residential District, based on the reasons stated above.

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

Attachments

Attachment A: Location/Zoning Map
Attachment B: Letter of Intent
Attachment C: Union at Bluffs Run Development Plan
Attachment D: Building Elevations
Attachment E: Signage Plan
Attachment F: Sidewalk Connectivity Exhibit

Prepared by: Moises Monrroy, Planner, Community Development Department