City of Council Bluffs, Iowa
Request for Proposals
Redevelopment of Land Located at 30th Street and 1st Avenue
Proposal Due Date: November 15, 2024

The City of Council Bluffs through its Community Development Department is accepting proposals for the purchase and development of approximately 6.45 acres of real estate located in west Council Bluffs for the development of multi-family or mixed-use housing and commercial. The north portion of the subject property is located at the north of the 1st Avenue Trail south West Broadway and is 2.21 acres in size. The south portion of the subject property on the north side of 2nd Avenue is approximately 4.24 acres in size (see Attachment A). This opportunity is being managed by the city's Community Development Department, which is seeking developers interested in contributing to the area's residential and commercial growth.

The block, located between a commercial district to the north and a single-family neighborhood to the south, presents a unique opportunity to blend different densities while respecting the character of the surrounding areas. To align with the city's vision, the development should focus on creating an urban environment along 1st Avenue by increasing density in the corridor. This area should feature higher-density housing, establishing a distinct edge that complements the nearby commercial district.

City Objectives
The city is seeking proposals to develop the site in conformance with applicable ordinances, as well as in compliance with the following stated objectives. These objectives include, but are not limited to:

- To maximize the use of public and private resources by locating higher density and mixed use developments within the area, which has existing infrastructure, access to public transportation, employment, commercial/retail establishments, schools and other supportive services.
- To create a higher density development with a minimum of 40 units per acre on the south portion of the subject property)
- The south portion of the property focuses on aesthetically pleasing development and provides opportunities for human interactions on adjacent rights-of-way, limits the placement of parking lots to the sides and rears of buildings and creates additional opportunities for multiple modes of transportation (i.e. transit, automobiles and bicycles).
- To cause the construction of new housing units with occupancy on or before December 31, 2027 unless otherwise agreed upon.
- To provide a positive impact on the city resulting in increased tax revenues and contribute to the city’s long term economic and community growth objectives.
- To implement the recommendations contained in the West Broadway Urban Renewal Plan and the West Broadway Corridor Plan.

Site Description
The property is located within an area of the City commonly referred to as the “West Broadway Corridor” which is the primary east/west commercial corridor that connects downtown Council Bluffs with downtown Omaha. The land was acquired by the city for the purposes of blight removal and redevelopment. All structures have been removed and the property is vacant. The property will be conveyed in an as-is condition.

The parcel is served with water, sanitary sewer and storm sewer, but individual service lines may need to be extended to accommodate the project. The city will require the installation of underground storm water detention for the development at the developer's cost.

The subject property directly abuts 1st Avenue, which is currently an unimproved 66-foot wide right-of-way that extends from South 36th Street to downtown Council Bluffs. The West Broadway Corridor Plan identified 1st Avenue as being a multi-modal transportation corridor that is capable of supporting public transit, pedestrian sidewalks, a bike trail and storm water management. The Community Development Department and the Furthering Interconnections, Revitalization, Streetscapes, Transportation, and Aesthetics for a Vibrant Economy (FIRST AVE) Advisory Committee are working with consultants on the design for a trail in 1st Avenue. Once the final design is complete, the segment of 1st Avenue that abuts the subject property will be constructed as part of the future development project at the developer's cost and will provide residents direct access to different transportation modes. No direct vehicular access to 1st Avenue shall be granted and submitted concepts shall show alternative access approaches.

Zoning

The north portion of the property is zoned C-2/Commercial District and is located in the CDO/Corridor Design Overlay District. The CDO is intended to ensure quality site development within the West Broadway Corridor. Items such as curb cuts, pedestrian facilities, plantings, screening/buffering, signage, architecture and lighting requirements are all detailed in the CDO and must be followed. Buildings shall orient their primary entrances to face West Broadway and/or the intersecting north/south streets.

Mixed-use projects are also encouraged but would require a change of zone to MCR/Mixed Commercial-Residential District. Service entrances, loading docks, dumpsters and mechanical equipment shall not face 1st Avenue. Internal pedestrian walkways (a minimum of five feet wide) shall be provided to connect this project site to the proposed trail along 1st Avenue. Commercial uses are limited to those allowed in the MCR District.

The south portion of the property is currently R-3/Low-Density Multi-Family Residential; however can be rezoned to either MCR or R-4/High Density Multi-Family Residential. Zoning change requires that the City Planning Commission and City Council review and adopt a development plan, which allows the public an opportunity to participate in the discussion of the development proposal.

For complete regulations regarding the current and proposed zoning designations, refer to Attachment B and C of this notice.

Floodplain

The property is located in flood zone X (protected by levee).

Value of the Property

Property evaluation in progress and the City will provide this as an addendum to the RFP, prior to the submittal deadline. The City intends to sell the property for no less than fair market value.

Inquiries, Questions and Deadlines

All inquiries/questions regarding this RFP must be directed via the electronic submission system at https://cbiabids.ionwave.net/ . Any changes or additions to the RFP information will be sent to via

Ion Wave. Any other contact in reference to this RFP prior to the time of an award decision will not be addressed.

RFP Issued: **September 10, 2024**

Q&A Ends: **September 30, 2024 at 3:00 pm (CST)**

Answers Posted: **October 7, 2024 by 3:00 pm (CST)**

RFP Due: **October 25, 2024 by 5:00 p.m. (CST)**

Proposals submitted by mail, facsimile transmission (fax) or electronic mail (email) will not be accepted. Proposals received after the submission deadline will not be accepted.

Proposal and Submittal Requirements
In a clear and concise manner, developers must submit proposals that demonstrate the developer's capacity to satisfy the requirements of this RFP. Proposals do not need to be elaborate or costly, but should be prepared in a professional manner. The following information to be submitted for consideration:

1. Application – must be completed and attached as proposal cover page (see Attachment E).

2. Project Summary – A brief written description of the project.

3. Project Plans – A scaled plot plan of the proposed development. The plot plan should illustrate the location of structures, parking areas, ingress and egress, open or landscape areas, etc. The developer must also submit additional information such as elevation drawings, photos of similar projects, typical floor plans, etc.

4. Developer Experience – Provide a listing of previous projects completed, especially with regard to projects that are relevant to the proposed development.

5. Project Timeline – A timeline for the project design, bidding, construction and occupancy.

6. Financial Summary – Developer must provide a proposed cost and source of funding for the project, including a minimum 10-year project pro forma. Developer must also outline expected funding sources and projected date all financing will be secured.

7. Project Contingencies – Indicate any special assistance needed to implement the project, such as financial assistance, state or federal applications, or other public participation.

Proposal Evaluation
The project proposals will be reviewed based on the following evaluation criteria:

1. Design, Aesthetics and Quality of Construction Materials and Landscaping (40%): The City has an adopted master plan that functions as the primary regulatory document relative to: building setbacks and heights, architectural designs, block designs and mix of land uses, public art, on and off-street parking, street connectivity and design, pedestrians and cyclists, and other special design requirements within the neighborhood. All buildings and their associated

architectural appearance/site layouts shall be designed in manner that is deemed compatible with this master development plan and existing development within the neighborhood. A list of materials and visual renderings of the site layout, units and exterior design must be provided as a part of this submittal.

2. Developer's Experience and Capacity (25%): The makeup/description of the developer's project team. The preferred developer will have significant experience in the construction of urban-style, mixed-use commercial and residential development. The names of individuals involved and the roles they will perform must be listed. Provide a description of the qualifications and experience of the specific individuals who will be involved in the work described in this RFP, including staff and other professionals.

3. Number of Units Proposed and Unit Sizes, Building Square Footage, and Minimum Assessed Value (20%): Preference will be given to developers who maximize the number of units, building square footage, and minimum assessed values on each of the identified properties. Proposals will also be scored on the length of time it will take to construct and occupy the project.

4. Funding Sources (15%): Preference will be given to Developers not utilizing either 4% or 9% Low Income Housing Tax Credits (LIHTC). No income restrictions are applicable to the property. Preference will be given to developers who propose projects with 80% or more market rate housing. Provide a list of proposed funding sources and when the funds are expected to be awarded/confirmed.

The above information will be used to select qualified developers. Upon developer selection, development agreements will be negotiated and executed.

Potential Development Incentives Available

- Brownfield/Grayfield Tax Credits through the Iowa Economic Development Authority may be available. Tax credits of up to 24% for qualifying costs of a Brownfield project and 30% if the project meets green building requirements. Tax credits of up to 12% of qualifying costs of a Grayfield project and 15% if the project meets green building requirements. Tax credits are available on an annual basis, with a maximum tax credit per project of $1,000,000 (http://www.iowaeconomicdevelopment.com/Regulatory/brownfield).

- The property may be eligible for Tax Increment Financing and/or property tax exemption and these items will be negotiated by the city on a project specific basis.

- Possible energy incentives may be obtained from MidAmerican Energy and Black Hills Energy depending on project design. Consultation should be initiated with each company prior to final design.

- Possible land contribution or reduced purchase price.

General Provisions

1) Submittal Ownership/Costs: Upon submission, all information becomes the property of the City of Council Bluffs. The City has the right to use any or all ideas presented in any submission in the response to this RFP, whether or not the submittal results in a contract with the submitting Developer. All costs for development of the written submittal and any oral presentation are entirely the obligation of the Developer and shall not be reimbursed.

2) Non-Warranty of Request for Qualifications: The City shall not be responsible for any error or omission in this RFP, nor for the failure on the part of the Developers to ensure that they have all the information necessary to affect their submittals.

3) Request for Clarification: The City reserves the right to request clarification of information submitted and to request additional information of one or more Developers, either orally or in writing.

4) Acceptance/Rejection of Submittals: The City reserves the right to accept or reject any or all submittals in whole or in part, with or without cause, to waive technicalities, or to accept submittals or portions thereof, which, in the City's judgment, best serve the interest of the City of Council Bluffs.

   The City reserves the right to allow alterations, modifications or revisions to individual elements of the Scope of Services any time during the period of contract, which results from this RFP.

5) Indemnification: The selected Developer shall: (1) faithfully perform said Contract on City's part and satisfy all claims and demands incurred for the same; (2) fully indemnify and save harmless the City from all costs and damages which said City may suffer by reason of failure to do so; and (3) fully reimburse and repay said City all outlay and expenses which said City may incur in making good any default.

   The selected Developer shall protect, defend, indemnify and save harmless the City, its agents, boards and employees, collectively referred to as "Indemnitees", from and against costs and suits, actions, claims, losses, liability or damage of any character, and from and against costs and expenses, including in part attorney fees, incidental to the defense of such suits, actions, claims, sickness, including death, to any person, or damage to property, including in part the loss of use resulting there from, arising from any act or omission of the Developer, or his employees, servants, agents, subcontractors or suppliers, or anyone else under the Developer's direction and control, and arising out of, occurring in failure of performance of any work or services called for by the Contract, or from conditions created by the performance or non-performance of said work or services. The Developer's indemnification hereunder shall apply without regard to whether acts or omissions of one or more of the Indemnitees would otherwise have made them jointly or derivatively negligent or liable for such damage or injury, expecting only that the Developer shall not be obligated to so protect, defend, indemnify and save harmless if such damage or injury is due to the sole negligence of one or more of the Indemnitees.

6) Insurance: The selected Developer shall carry and maintain during the life of the contract insurance as deemed appropriate by the City of Council Bluffs. Specific amounts and types of insurance will be detailed in the negotiated development agreement.

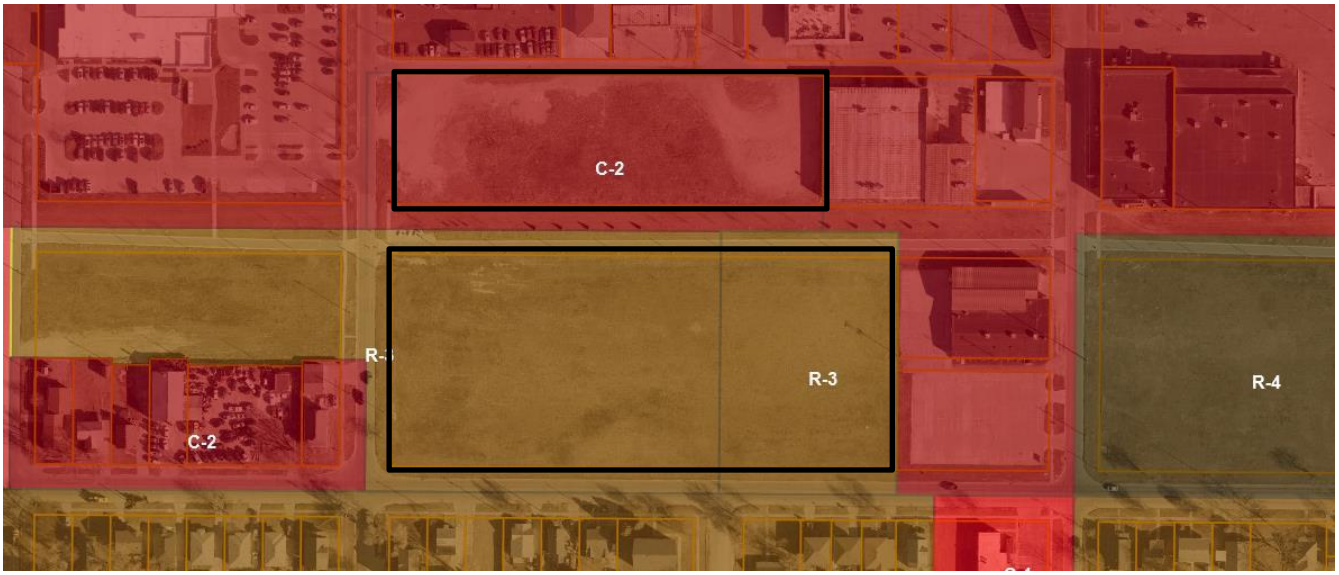
7) Collusion: The Developer, by submitting a Proposal, declares that the submission is made without any previous understanding, agreement or connections with any persons, Developers or corporations making a competing submission on the same project, and that it is in all respects, fair and in good faith without any outside control, collusion or fraud.

8) Consideration of Submittals: Proposals will be considered from Developers normally engaged in providing and performing services as specified in this RFP. The Developer must have adequate organization, facilities, equipment and personnel to ensure prompt and efficient service to the City.

The City reserves the right to inspect the facilities and organization or to take any other action necessary to determine the ability to perform in accordance with specifications, terms and conditions before recommending any award.

9) Discrimination Clause: According to the City of Council Bluffs Municipal Code 1.40, discrimination of race, color, religion, creed, sex, sexual orientation, gender identity, national origin, age or mental or physical disability is prohibited in any form. This extends to any and all partner agencies and contractual obligations.

Attachment A
Site Map



Attachment B
Current Zoning Regulations

Chapter 15.10 - R-3/LOW DENSITY MULTIFAMILY RESIDENTIAL DISTRICT

15.10.010 Statement Of Intent
15.10.020 Principal Uses
15.10.030 Conditional Uses
15.10.040 Accessory Uses
15.10.050 Site Development Regulations
15.10.060 Additional Regulations
15.10.070 Signs

15.10.010 Statement Of Intent

The R-3 district is intended and designed for lower density multifamily residential areas of the city. This district permits a variety of housing types and is intended for established and developing areas of the city.

(Ord. 5307 § 1 (part), 1996)

15.10.020 Principal Uses

The following principal uses shall be permitted in an R-3 district:

1. Boarding, lodging, rooming house, or bed and breakfast;
2. Community recreation services;
3. Congregate housing, life care facility or nursing home;
4. Dwelling, multifamily;
5. Dwelling, single-family attached;
6. Dwelling, single-family detached;
7. Dwelling, townhouse;
8. Dwelling, two-family;
9. Family home;
10. Group care home;
11. Local utility services;
12. Park and recreation services;
13. Private parking lot;
14. Public parking lot;
15. Public safety services;
16. Religious assembly;
17. School.

(Ord. 5917 § 1, 2007)

15.10.030 Conditional Uses

The following conditional uses shall be permitted in an R-3 district, when authorized in accordance with the requirements set forth in CBMC 15.27:

1. Cemetery;
2. Colleges and universities;
3. Commercial recreation (indoor and outdoor);
4. Business, professional office when the floor area for such use shall not exceed two thousand (2,000) square feet;
5. Cultural service;
6. Day care service;
7. Government maintenance facility;
8. Juvenile detention facility.

(Ord. 5917 § 2, 2007)

15.10.040 Accessory Uses

The following accessory uses shall be permitted in an R-3 district:

1. Uses of land or structure customarily incidental and subordinate to one of the principal uses, unless otherwise excluded.

(Ord. 5307 § 1 (part), 1996)

15.10.050 Site Development Regulations

Minimum Lot Size

Use	**Lot Area**
Single-family detached	5,000 square feet
Single-family attached and two-family dwellings	5,000 square feet except when a single-family attached or two-family dwelling is divided by a lot line coinciding with the common wall separating the two units, the minimum lot area shall be 2,500 square feet
Townhouse dwelling	7,500 square feet except when a townhouse dwelling unit is divided by a lot line coinciding with the common wall separating the units, the minimum lot area shall be 2,500 square feet
Multifamily dwelling	
(3 to 4 units)	7,500 square feet
(5 or more units)	9,000 square feet plus an increase of 2,000 square feet per each additional unit

Minimum Setbacks	Principal Structure	Accessory Structure
Front yard	20 feet	Greater of 20 feet or existing front setback line of principal structure
Street side yard	15 feet	15 feet
Interior side yard	5 feet with one foot indentation for every story above the first floor	3 feet
Rear yard	20 feet	3 feet
Maximum height	60 feet	18 feet
Lot coverage; all structures:	45% maximum	

(Ord. 5307 § 1 (part), 1996)

15.10.060 Additional Regulations

1. Lot Clustering. Minimum Lot Size requirements for single-family and townhouse dwellings may be reduced by a maximum of forty (40) percent for lots located in a cluster subdivision as permitted by CBMC 14.10 and are subject to the following additional requirements:
    1. The unit must be located in an approved cluster subdivision;
    2. A dwelling unit with a zero side yard on one side shall be either attached on both sides or have a side yard of ten (10) feet from the opposite side lot line;
    3. A dwelling unit With a zero side yard shall have no openings on that side abutting the lot line;
    4. A dwelling unit which does not have a zero side yard shall have a minimum side yard of five feet;
    5. A dwelling unit shall have a minimum front yard setback of ten (10) feet provided that there are two off-street parking spaces located on the same lot;
    6. A dwelling unit shall have a minimum rear yard setback of ten (10) feet; and
    7. Lot size requirements may be reduced, provided that an equal amount of land area is provided in adjacent common area or open space, exclusive of public and private roadways.
2. Reserved.

(Ord. 5307 § 1 (part), 1996)

15.10.070 Signs

Signage in this district shall comply with CBMC 15.33, "Signs."

(Ord. 5307 § 1 (part), 1996)

Chapter 15.15 - C-2/COMMERCIAL DISTRICT

15.15.010 Statement Of Intent
15.15.020 Principal Uses
15.15.030 Conditional Uses
15.15.040 Accessory Uses
15.15.050 Site Development Regulations
15.15.060 Additional Regulations
15.15.070 Signs

15.15.010 Statement Of Intent

The C-2 district is intended to provide for major commercial retail shopping and service areas adjacent to major traffic corridors. This district also provides a variety of commercial services to the community and adjacent residential neighborhoods.

(Ord. 5458 § 2 (part), 1999)

15.15.020 Principal Uses

The following principal uses shall be permitted outright in a C-2 district:

1. Automobile repair, minor;
2. Automobile service establishment;
3. Building material, retail sales only;
4. Business, professional office;
5. Business service establishment;
6. Club or lodge;
7. Commercial recreation (indoor and outdoor);
8. Consumer service establishment;
9. Contractor shop;
10. Cultural service;
11. Financial service;
12. General government use;
13. Hotel/motel;
14. Kennel, commercial;
15. Local utility service;
16. Park and recreation services;
17. Pawn shops;
18. Printing, binding, and mail operations (fifty thousand (50,000) square feet or less);
19. Private and public parking lots;
20. Public safety services;
21. Religious assembly;
22. Restaurant (drive-in/fast food, limited and general);
23. Retail shopping establishment;
24. School;
25. Secondhand store;
26. Tattoo parlor;
27. Tavern, as limited by CBMC 15.15.060;

28. Veterinary service;
29. Warehousing and distribution, limited (fifty thousand (50,000) square feet or less);
30. Funeral service;
31. Consumer fireworks sales;
32. Small alcohol production facility.

(Ord. 5557 § 1, 2001)

(Ord. No. 6147, § 1, 2-13-2012; Ord. No. 6332, § 1, 6-11-2018; Ord. No. 6341, § 1, 8-13-2018)

Editor's note— Ord. No. 6085, § 1, adopted June 14, 2010, repealed the former section and enacted a new section as set out herein. The former section pertained to similar subject matter and derived from Ord. No. 5555, § 1, 2001; Ord. No. 6026, § 1, 2-23-2009.

15.15.030 Conditional Uses

The following conditional uses shall be permitted in a C-2 district, in accordance with the requirements set forth in CBMC 15.27:

1. Adult entertainment, as further limited by CBMC 15.15.060;
2. Automobile repair, major;
3. Automobile sales and rental, as further limited by CBMC 15.15.060;
4. Automobile sales and rental, indoor;
5. Commercial storage;
6. Communication tower;
7. Day care services;
8. Manufacturing, light (fifty thousand (50,000) square feet or less);
9. Warehousing and distribution (limited).

(Ord. No. 6026, § 2, 2-23-2009; Ord. No. 6306, § 1, 10-9-2017)

Editor's note— Ord. No. 6026, § 2, adopted Feb. 23, 2009, repealed the former CBMC 15.15.030, and enacted a new CBMC 15.15.030 as set out herein. The former CBMC 15.15.030 pertained to similar subject matter and derived from Ord. No. 5555, § 2, adopted 2001.

HISTORY
Amended by Ord. 6519 on 9/12/2022

15.15.040 Accessory Uses

The following accessory uses shall be permitted in a C-2 district:

1. Uses of land or structure customarily incidental and subordinate to one of the principal uses, unless otherwise excluded.

(Ord. 5458 § 2 (part), 1999)

15.15.050 Site Development Regulations

Minimum Lot Size		
Lot area	5,000 square feet	
Lot width	50 feet	
Lot depth	100 feet	
Minimum Setbacks	**Principal Structure**	**Accessory Structure**
Front yard	15 feet	15 feet
Interior side yard	5 feet	5 feet
Street side yard	10 feet	10 feet
Rear yard	10 feet	10 feet
Maximum height	50 feet	18 feet
Lot coverage, all structures:	60% maximum	

(Ord. 5458 § 2 (part), 1999)

15.15.060 Additional Regulations

1. None of the adult entertainment activities as defined in CBMC 15.03 shall be located within one thousand (1,000) feet of any other such use, nor shall any such use be located within three hundred (300) feet of any school, place of religious assembly, public park, or residential district.
2. No tavern or small alcohol production facility shall be located within two hundred (200) feet of any school, place of religious assembly, public park, or any conforming residential use. Distance shall be measured between the closest points from lot line to lot line.

   Exception: The two hundred (200) foot distance limitation from conforming multifamily residential uses as noted above shall not apply to taverns which do not exceed three thousand (3,000) square feet in gross floor area if located within a commercial development with one hundred twenty-five thousand (125,000) square feet or more of leasable retail/commercial space.
3. Parking for automobile sales and rental facilities shall include space for both visitor parking and sale display area. One space is required for each vehicle available for sale, lease or rental at one time with additional parking based on the size of the building used for sales and accessory repairs and service.

4. Consumer fireworks sales from a temporary structure shall not be located within three hundred (300) feet of a residential structure.

(Ord. No. 6026, § 3, 2-23-2009; Ord. No. 6332, § 1, 6-11-2018; Ord. No. 6341, § 1, 8-13-2018)

Editor's note— Ord. No. 6026, § 3, adopted Feb. 23, 2009, repealed the former CBMC 15.15.060, and enacted a new CBMC 15.15.060 as set out herein. The former CBMC 15.15.060 pertained to similar subject matter and derived from Ord. No. 5940, § 1, adopted 2007.

15.15.070 Signs

Signage in this district shall comply with CBMC 15.33, Signs.

(Ord. 5458 § 2 (part), 1999)

Attachment C
Potential Zoning Regulations

Chapter 15.11 - R-4/HIGH DENSITY MULTIFAMILY RESIDENTIAL DISTRICT
15.11.010 Statement Of Intent
15.11.020 Principal Uses
15.11.030 Conditional Uses
15.11.040 Accessory Uses
15.11.050 Site Development Regulations
15.11.060 Additional Regulations
15.11.070 Signs

15.11.010 Statement Of Intent

This district is intended to provide for development of high density multiple-family housing. This district allows for a mixture of compatible uses with high density urban neighborhoods. This district is most appropriate in central areas of the community or in areas which have full services.

(Ord. 5308 § 1 (part), 1996)

15.11.020 Principal Uses

The following principal uses shall be permitted outright in an R-4 district:

1. Boarding, lodging rooming house, or bed and breakfast;
2. Business, professional office;
3. Community recreation services;
4. Congregate housing, life care facility or nursing home;
5. Consumer service establishment;
6. Day care services;
7. Dwelling, multifamily;
8. Dwelling, single-family attached;
9. Dwelling, single-family detached;
10. Dwelling, townhouse;
11. Dwelling, two-family;
12. Family home;
13. Group care home;
14. Local utility services;
15. Park and recreation services;
16. Private parking lot;
17. Public parking lot;
18. Public safety services;
19. Religious assembly;
20. School.

(Ord. 5918 § 1, 2007)

15.11.030 Conditional Uses

The following conditional uses shall be permitted in an R-4 district, when authorized in accordance with the requirements set forth in CBMC 15.21:

1. Cemetery;
2. College or universities;
3. Commercial recreation (indoor and outdoor);
4. Cultural service;
5. Commercial storage;
6. Governmental maintenance facility.

(Ord. 5918 § 2, 2007)

15.11.040 Accessory Uses

The following uses shall be permitted in an R-4 district:

1. Uses of land or structures customarily incidental and subordinate to one of the principal uses, unless otherwise excluded.

(Ord. 5308 § 1 (part), 1996)

15.11.050 Site Development Regulations

Minimum Lot Size

Use	**Lot Area**
Single-family detached	5,000 square feet
Single-family attached and two-family dwellings	5,000 square feet except when a single-family attached or two-family dwelling is divided by a lot line coinciding with the common wall separating the two units. The minimum lot area shall be 2,500 square feet.
Townhouse dwelling	7,500 square feet except when a townhouse dwelling unit is divided by a lot line coinciding with the common wall separating the units, the minimum lot area shall be 2,500 square feet
Multifamily dwelling	
(3 to 4 units)	7,500 square feet
(5 or more units)	9,000 square feet plus an increase of 750 square feet per each additional unit

Minimum Setbacks	Principal Structure	Accessory Structure
Front yard:	20 feet	Greater of 20 feet or existing front setback line of principal structure
Street side yard:	15 feet	15 feet
Interior side yard:	5 feet with one foot indentation for every story above the first floor	3 feet
Rear yard:	20 feet	3 feet
Maximum height:	100 feet	18 feet
Lot coverage: all structures	60% maximum	

(Ord. 5308 § 1 (part), 1996)

15.11.060 Additional Regulations

1. Reserved.

(Ord. 5308 § 1 (part), 1996)

15.11.070 Signs

Signage in this district shall comply with CBMC 15.33, "Signs."

(Ord. 5308 § 1 (part), 1996)

Chapter 15.12 - MCR/MIXED COMMERCIAL-RESIDENTIAL DISTRICT

15.12.010 Statement Of Intent
15.12.020 Principal Uses
15.12.030 Conditional Uses
15.12.040 Accessory Uses
15.12.050 Site Development Regulations
15.12.060 Additional Regulations
15.12.070 Development Plan Review Procedure

HISTORY
Adopted by Ord. 6398 on 9/9/2019

15.12.010 Statement Of Intent

The MCR district is intended to encourage an urban pattern of development characterized as "mixed-use" in order to promote human interaction, pleasing aesthetics, economic resiliency, efficient land use, and maximization of resources. The MCR district also supports and encourages a variety of transportation options for multiple modes of transportation. The MCR district is applicable to areas of the City where higher density residential and commercial uses are appropriate and where municipal utility infrastructure is readily available or can be extended by a project.

HISTORY
Adopted by Ord. 6398 on 9/9/2019

15.12.020 Principal Uses

The following principal uses shall be permitted in an MCR district:

1. Congregate housing, life care facility, or nursing home;
2. Community recreation services;
3. Dwelling, multifamily;
4. Dwellings, townhome (minimum four attached units);
5. Family home;
6. Group care home;
7. Mixed commercial/residential structure (containing one or more of the following uses);
    1. Business, professional office;
    2. Consumer service establishments (limited to the following):
        1. Accountants;
        2. Architects;
        3. Arts and crafts studio;
        4. Attorneys;
        5. Banks, savings and loans, and credit unions;
        6. Barber shops and beauty shops;
        7. Dress makers and tailors;
        8. Insurance agencies;
        9. Laundry and dry cleaning pick-up stations;
        10. Management consultants;
        11. Medical office or clinic for people;
        12. Pet shops;

13. Photographers' studios;
14. Real estate office;
15. Travel agencies.

3. Retail Shopping Establishment (limited to the following):
    1. Antique stores
    2. Appliance, television and radio sales;
    3. Art galleries, commercial;
    4. Art supplies;
    5. Bakeries;
    6. Bicycle sales and repair shop;
    7. Bookstores;
    8. Candy and ice cream stores;
    9. Clothing, clothing accessories and dry goods;
    10. Department stores;
    11. Drug stores;
    12. Floor coverings;
    13. Florists;
    14. Furniture stores;
    15. Gift and card shop;
    16. Grocery, delicatessen, and specialty food store;
    17. Hardware, paint, and wallpaper stores;
    18. Jewelry, leather goods and luggage stores;
    19. Music stores;
    20. News and tobacco stores;
    21. Photographic equipment and supplies;
    22. Second hand store;
    23. Shoe stores;
    24. Sporting goods;
    25. Toy and hobby stores;
    26. Variety stores.
    27. "Retail shopping establishment" shall not be construed or interpreted to include any adult entertainment activities.
4. Other
    1. Religious assembly;
    2. Restaurant (limited, general);
    3. Tattoo parlor.

8. Park and recreation services;
9. Private parking lot;
10. Public parking lot;
11. Public safety services;
12. Consumer Fireworks Sales.

HISTORY
Adopted by Ord. 6398 on 9/9/2019
Amended by Ord. 6505 on 7/11/2022

15.12.030 Conditional Uses

The following conditional uses shall be permitted in an MCR district, when authorized in accordance with the requirements set forth in Chapter 15.21 :

1. Mixed commercial/residential structure (containing one or more of the following uses):
    1. Any land use proposed with a drive-thru window;
    2. College or universities;
    3. Day care services;
    4. School
    5. Small alcohol production facility;
    6. Tavern.
2. Garage (private, public);
3. Government maintenance facility;
4. Local utility services.

HISTORY
Adopted by Ord. 6398 on 9/9/2019

15.12.040 Accessory Uses

The following uses shall be permitted in an MCR district:

1. Uses of land or structures customarily incidental and subordinate to one of the principal uses, unless otherwise excluded.

HISTORY
Adopted by Ord. 6398 on 9/9/2019

15.12.050 Site Development Regulations

Lots or parcels of land zoned MCR after the effective date of this chapter shall submit a development plan for consideration by the Planning Commission and City Council concurrent with the rezoning application. The development plan review shall follow the procedure stated in this Chapter, and all components of an approved development plan shall prevail over conflicting standards or regulations elsewhere in this Title. All proposed development projects shall include, but not be limited to, the following standard regulations as part of the associated development plan:

Required Yards	**Principal Structure** The base of a principal structure shall be constructed within 10 feet of a property line that abuts a public right-of-way or a private street. The base of a principal structure may be as much as 20 feet from a public right-of-way or private street if the additional setback area is developed with active outdoor space (e.g. dining, courtyard, patios, etc.) between the building and public right-of-way and/or private street. Maximum interior and rear yards shall be determined as part of the adoption of a development plan.	**Accessory Structure** Minimum five (5) feet from rear or side property line and cannot be located between a building facade and any abutting public or private street.
Maximum Height	**Principal Structure** 100 feet	**Accessory Structure** 24 feet
Lot Coverage: All Structures	80% maximum	

Minimum Residential Density	40 units per acre

1. Adopted master plans.
    1. All properties in the MCR District that are located within an area of the City that has an adopted master plan by City Council shall be developed in accordance with said adopted master plan(s).
2. Architectural details.
    1. Building facades shall be constructed with architectural details such as color changes, material changes, minor wall offsets, height variations, wall setbacks, accent lines, and upper floor step backs to articulate building elevations. Building facades that are blank and/or void of architectural detailing shall not be permitted. An exception to these standards may be granted by the Community Development Director for those areas of a building facade that are not visible from a public/private street, or a residential use, and shall be identified prior to development plan approval.
    2. Building facade walls shall be constructed primarily out of high quality, durable materials such as natural/cast stone (1.5" thick or greater), fire-clay brick, burnished or split face CMU block, transparent glass (non-mirrored/non-tinted), architectural grade metal panels, or architectural grade precast concrete with an approved finished treatment. Complementary materials such as fiber cement board, EIFS/stucco, or wood siding may be used on less prominent areas of a building facade in a manner that complements the primary building material. Complimentary materials shall comprise no more than 40% of the total gross square footage of all building elevations, and no single complimentary material shall comprise more than 50% of the gross square footage of a single building facade. Complimentary materials may only be used when located a minimum of four feet above the base of a building. For the purpose of this Chapter, a 'building elevation' is defined as the perimeter surface of a building set approximately parallel to a lot line; and a 'building facade' is defined as that portion of any exterior elevation on a building extending from grade to top of the parapet, wall, or eaves and the entire width of the building elevation.
    3. Roofs shall be designed to be generally flat and shall be concealed from view by use of parapet walls or other architectural methods. Portions of roofs that are curved or pitched may be allowed as architectural accents but shall not be used as the primary roof design. Roof-mounted mechanical equipment shall be located below the highest vertical element of a building, and shall be screened from view with parapet walls, equipment wells, architectural screens, or similar features that are compatible to the overall design of the building to which they are attached to.
    4. Buildings shall be constructed to front at least one street or public rights-of-way. All street-facing facades within 10 feet of a street or public rights-of-way shall include an accentuated entrance that is clearly distinguished using covered walkways, awnings, canopies, porches, and/or projected or recessed building mass.
    5. Attached signage, balconies, canopies, decks, eaves, overhangs, and/or other architectural features that are not integral to the structural support of a building may project into public rights-of-way subject to issuance of a permit from the Public Works Department.
3. Landscaping.

1. All areas on a site that are not covered by buildings, structures, paving or impervious surface are considered landscape areas and shall be landscaped in accordance with an adopted development plan.

4. Exterior lighting.
    1. Light pole materials on private property shall be painted or finished aluminum or steel. Wood poles shall not be accepted.
    2. Light poles on private property that are used to illuminate vehicular access and parking areas shall not exceed twenty five (25) feet in height from existing grade.
    3. Sidewalks and walkways on private property shall be illuminated with pedestrian scale lighting that does not exceed 15 feet in height from existing grade.
    4. Low-scale, decorative lighting may be used to illuminate accent architectural details, building entries, or signs.
    5. Building facade accent lighting shall be limited to an upward angle of 45 degrees and shall be focused on the building to minimize light spillover onto adjacent properties and right-of-ways.
    6. All lighting on private property shall comply with the standards stated in § 15.24.050, Lighting controls, of this Title.
5. Parking.
    1. All off-street parking in the MCR District shall conform with Chapter 15.23 of this Title, except when determining the total amount of required off-street parking for a multi-family residential use or mixed commercial/residential use, which shall be based upon the following:

Land Use	**Required Off-Street Parking**
Multi-Family Residential & Townhomes	Minimum of 1 parking stall per dwelling unit. Additional parking may be provided but shall not exceed 25% of the total number of required off-street parking stalls for any development.
Mixed Commercial/Residential	Minimum of 1 stall per dwelling unit + 1 space per every 250 square feet of gross floor area of commercial space. Additional parking may be provided but shall not exceed 25% of the total number of required off-street parking stall for any development.

    2. Off-street parking in this District is encouraged to be designed as an integral component of a principal structure when feasible; however, surface parking lots shall be allowed when designed to comply with the following standards:
        1. Surface parking areas, vehicular drive aisles, and loading/unloading area shall be located behind and/or to the side of a principal building, and shall not be permitted between a principal building and a primary street frontage. The primary street frontage for a development shall be determined by the Community Development Department at the time of plan review. Surface parking areas visible from a public right-of-way shall be screened with a maximum four-foot tall masonry wall in combination with landscaping, or a maximum six-foot tall wrought iron fence in combination with landscaping.
        2. Large, non-ornamental, deciduous shade trees shall be installed in parking lots in excess of fifteen (15) spaces. The trees shall be located in planting areas of not less than fifty (50) square feet of unpaved surface per tree and at

least one tree shall be planted for each three thousand (3,000) square feet of paving on-site.

3. The total number of required off-street parking spaces may be reduced by an amount to be determined through a parking demand study establishing that sufficient parking is or can be met by the subject use(s) through shared parking with an adjacent property, or nearby on-street parking. The parking demand study shall provide information about the anticipated parking demand at peak times during the day and the distance relationship between available on-street parking or shared parking spaces and the specific use(s) served.
4. Direct vehicular access to all off-street parking, drive aisles, and loading/unloading areas shall come from an alley, a non-arterial street, and/or via shared parking facilities with an adjacent property owner. Direct vehicular access shall not be allowed to any arterial street, or to any rights-of-way with a designated pedestrian walking trail or bicycle lane, unless approved by City Council as part of an adopted development plan.
5. On-street parking shall be constructed as a component of new developments, whenever adequate right-of-way is available, in accordance with adopted Public Works standards.
6. Bicycle parking shall be provided with all residential developments at a minimum rate of one-half space per dwelling unit. Bicycle parking may be provided indoors, outdoors, or combination thereof. Outdoor bicycle parking must be on a hard-surface and connected to the pedestrian/bicycle network.

6. Pedestrian facilities.
    1. A minimum five foot-wide accessible, pedestrian route shall be installed to connect each building entrance with a public sidewalk. Exception: Service entrances that do not provide the general public access to a building are not required to provide any pedestrian facilities.
    2. Construction or reconstruction of adjacent sidewalks and/or street improvements shall be in accordance with adopted Public Works Standards, and shall be included in a project's adopted development plan.
7. Screening and utilities.
    1. All exterior dumpsters, garbage/recycling storage, loading/unloading areas, ground-mounted HV AC units, and other utility apparatuses/appurtenances shall be completely screened from view using architectural design features, landscaping, fencing, or a combination thereof. Wall mount air conditioning units shall be integrated into the design of the building in order to be screened from view.
    2. Deciduous, non-ornamental street canopy trees shall be planted between sidewalks and streets. A minimum of 50 square feet shall be provided for planting space with no less than six feet of width. Spacing of trees shall be no greater than 50 feet. Initial tree plantings shall be no less than two inches in diameter.
    3. Utility services shall be installed underground, unless determined unpractical by the Community Development Director.
    4. Required stormwater detention shall be contained underground in accordance with all adopted Public Works standards. Best Management Practices for stormwater are encouraged. Surface stormwater features may be considered only if designed as a site amenity.
8. Signs.
    1. Signage shall be approved as part of the adopted development plan, and shall comply with Chapter 15.33 of this Title.

HISTORY
Adopted by Ord. 6398 on 9/9/2019

15.12.060 Additional Regulations

1. All residential developments shall include an active outdoor site amenity such as playgrounds, plazas, decks, roof-top patios, swimming pools, and recreation areas. Passive areas such as landscape setbacks, bicycle parking, tree plantings, berms, and basic stormwater features do not qualify. A minimum of 50 square feet of site amenity space is required per dwelling unit.
2. Property owners shall maintain all buildings, landscaping, and other site features in accordance with the adopted development plan.
3. Consumer fireworks sales from a temporary structure shall not be located within three hundred (300) feet of a residential structure.

HISTORY
Adopted by Ord. 6398 on 9/9/2019
Amended by Ord. 6505 on 7/11/2022

15.12.070 Development Plan Review Procedure

1. Application. A completed application form, ten (10) copies of the development plan, along with the required fee, shall be submitted to the Community Development Department. The development plan shall be reviewed in accordance with the procedures outlined below. The following information shall be submitted to the Community Development Department:
    1. A letter of intent stating the proposed uses, improvements necessary to serve the development, construction time frame, and phasing;
    2. The development name and legal description of the boundary;
    3. A north arrow, scale, bar scale, and date;
    4. The names and addresses of the owner, and the architect or engineer preparing the plan;
    5. A location map showing the proposed development and its relationship to existing abutting subdivisions and community facilities such as streets, schools, parks, and commercial areas;
    6. All established floodway or floodway fringe encroachment limits;
    7. A soils and drainage report prepared by the engineer. The report shall show the general soil and drainage conditions and include preliminary recommendations as to the adaptability of the property proposed for development;
    8. Location and size of any sites to be considered for dedication to public use;
    9. Layout, numbers, and dimensions of proposed lots;
    10. The location, width, name, grade, and typical cross-sections of all proposed streets within the development and the width and name of any platted street located within two hundred (200) feet of the site;
    11. The location and width of other public ways, railroad rights-of-way, utility, and all other easements existing or proposed within the development and within two hundred (200) feet;
    12. Existing and proposed contour intervals of not more than five feet;
    13. All existing and proposed underground installations within the proposed development or adjacent thereto or the location of the nearest available facilities;

14. The location of all existing and proposed structures, proposed parking areas, pedestrian ways, private and public streets, and landscaping;
15. Proposed signage plan;
16. Architectural drawings, renderings, or other visual documents which illustrate proposed building design.

    The Community Development Director shall determine the adequacy and completeness of the development plan application. The Community Development Director may require additional information prior to scheduling review by the City Planning Commission.

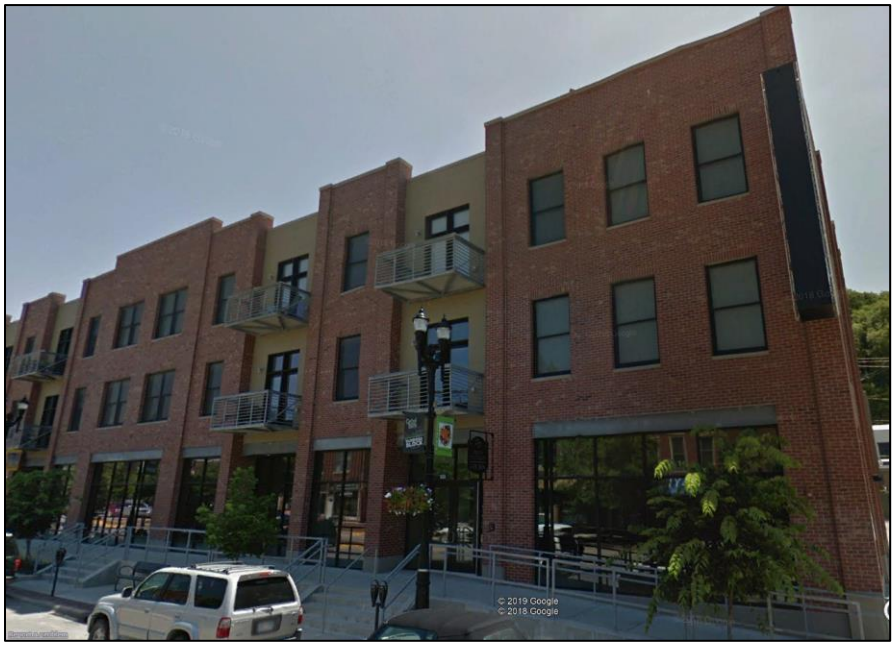
2. Review by City Planning Commission. The City Planning Commission, in reviewing the development plan, shall take into consideration conformance with the comprehensive plan, recognized principles of land use planning, landscape, architecture, the conservation and stabilization of the value of property, adequate open space for light and air, congestion of public streets, the promotion of public safety, health, convenience and comfort and the general welfare of persons using the facility. In addition to the proposed use meeting the general requirements herein set forth, the commission, in recommending approval of the proposed development plan, may recommend certain conditions to be attached to such use which the commission deems necessary in order to carry out the intent and purpose of this title. Such conditions may include, but are not limited to, an increase in the required lot or yard area, control of the location and number of vehicular access points to the property, limitations to the number of signs, limitations to coverage or height of buildings situated on the property because of obstruction to view and reduction of light and air to adjacent property, required screening and landscaping where necessary reduce noise and glare, and designation of responsibility for maintenance of the property.
3. Review by City Council. After review of the development plan by the City Planning Commission, it shall be forwarded to the City Council, with its written recommendations, whether for approval or denial, whereupon the City Council may take action on the plan. Approval of the development plan shall be by City Council resolution.
4. Building Permit Review. The Community Development Director shall review all building and Public Works construction permits for compliance with the approved development plan. No building or Public Works construction permit shall be issued if determined by the Community Development Director to be inconsistent with the approved development plan. If the Community Development Director determines that major changes are requested, review and approval by the City Planning Commission and City Council shall be required.
5. Amendment to Development Plan .. Proposed amendments to an approved development plan shall be subject to the same review and approval procedure as an initial application. Minor amendments to an adopted development plan may be administratively approved at the discretion of the Community Development Director.

HISTORY
Adopted by Ord. 6398 on 9/9/2019

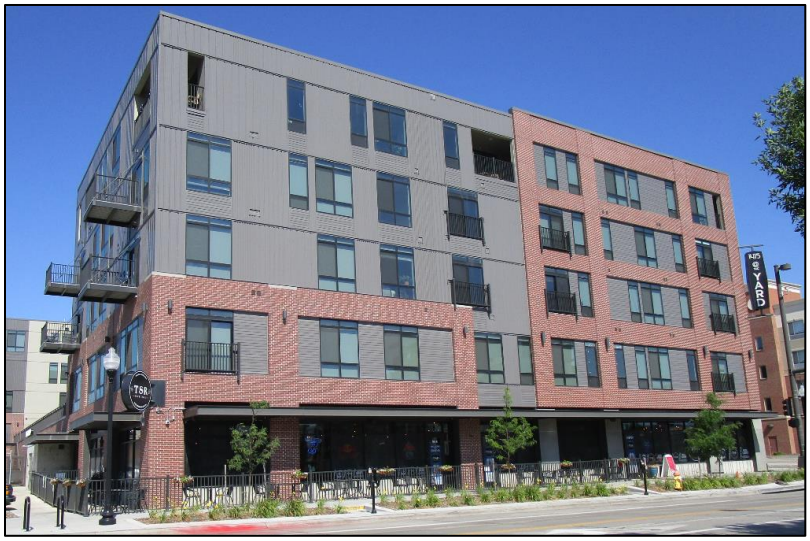
Attachment D
Representative Building Examples in Council Bluffs and Omaha



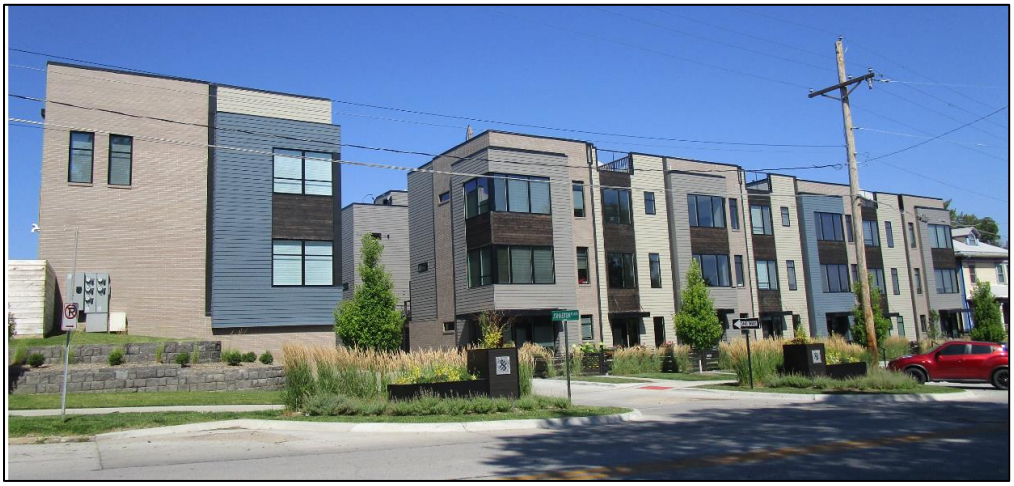
The Rise at 103 W. Broadway



The Sawyer Building at 125 W. Broadway



The Yard at 415 Cuming Street


Townhomes on South 10th Street



Dundee Flats at 4829 Dodge Street

Attachment E
Proposal Cover Page

City of Council Bluffs, Iowa
Request for Proposals Cover Page

Project Information

Project Name _____

Organization Information

Name of Developer _____

Mailing Address _____

_____

Contact Person(s) _____

_____

Telephone _____ Fax _____

Email Address _____

Partners

Type	Name and Address	Contact Person
Project Development		
Architectural Firm		
Engineering Firm		
Other (specify)		
Other (specify)		
Other (specify)		