City Council Communication

Department: Community Development CASES #SUB-24-008 and #PC-24-002 Applicant: Cornerstone Housing Group, LLC 209 South 19th Street, Suite 100 Omaha, NE 68102 Property Owner: CB Power Drive Partners LP 209 South 19th Street, Suite 100 Omaha, NE 68102 Represented by: Jon Blumenthal 1601 Dodge Street, Suite 3700 Omaha, NE 68102	Resolution No. _____ Resolution No. _____	City Council Case #SUB-24-008: 12/16/2024 Case #PC-24-002: 12/16/2024 Planning Commission: 11/12/2024

Subject/Title

Request: Combined public hearings on the request of Cornerstone Housing Group, LLC to adopt a planned commercial development plan for a 280-unit multi-family housing development and for preliminary plan approval to dedicate 1.8 acres of land to the City for the future extension of Power Drive and widening of 35th Avenue on property legally described as Lot 10, Lake Manawa Centre Subdivision, a Subdivision located in the City of Council Bluffs, Pottawattamie County, Iowa, except a tract of land located in part of Lot 10, Lake Manawa Centre Subdivision as platted and recorded in Pottawattamie County, Iowa, and being more particularly described in the case staff report.

Location: Undeveloped land located immediately east of 100 Power Drive

Background/Discussion

The Community Development Department has received the following requests from Cornerstone Housing Group, LLC:

A. **CASE #SUB-24-008**: Preliminary plan approval to dedicate of 1.8 acres of land to the City for future extension of Power Drive and the widening of 35th Avenue; and

B. **CASE #PC-24-002**: Adopt a planned commercial development plan for a 280-unit multi-family residential development.

In 2021, the subject property was proposed to be developed into a two lot subdivision containing a car wash (Proposed Lot 1) and multi-family residential development (Proposed Lot 2) with land being dedicated to the City for extension of Power Drive and widening of 35th Avenue. In order to facilitate said development, a preliminary subdivision plan (Reso. No. 21-95), development plan for the carwash lot (Reso. No. 21-96), and text amendment to allow 'dwelling, multifamily' as a permitted use in the P-C District (Ordinance No. 6441) were approved by the Council Bluffs City Council in March 2021. The proposed carwash development did not come to fruition and the preliminary plan approval has since expired.

The current request is to develop the entirety of the subject property as a 280-unit multi-family residential development. In order to facilitate the proposed development, the applicant is requesting to adopt a planned commercial development plan to establish standards for site design, building placement, architecture, landscaping, off-street parking, and signage for the proposed apartment complex. The proposed preliminary plan serves as a means to dedicate a total of 1.8 acres of land for the extension of Power Drive and widening of 35th Avenue.

The proposed multifamily development will consist of four (4), four-story residential buildings, an office/clubhouse building, detached garages, on-site storage units, and outdoor recreational space. Per the submitted letter of intent, included as Attachment 'B,' the applicant intends to partner with Lutheran Family Services to provide a variety of tenant-oriented services including employment preparation and placement, on-site tutoring, and referral services to other community support organizations. Construction is anticipated to begin between January and March 2025 with a completion date between October and December 2027.

CASE #SUB-24-008

The proposed preliminary subdivision is comprised of 13.86 acres, more or less, of land and will consist of one lot. The proposed lot will contain a 280-unit multifamily development, to be known as the Cornerstone Apartments. A total of 1.8 acres of land will be dedicated for the expansion of Power Drive (1.10 acres) and widening of 35th Avenue (0.7 acres). The applicant plans to construct the segment of Power Drive between 35th Avenue and the westerly drive into the subject property. The land dedication along the north of the subject property will go towards a future City endeavor to widen 35th Avenue. Utilities are proposed to be extended to serve the proposed subdivision. The proposed preliminary plan is included with this report as Attachment 'C.'

Comments

Community Development Department:

A. Approval of the preliminary plan is tentative and does not constitute acceptance of the final plat, "but shall be deemed to be an authorization to proceed with the preparation of the final construction plans or performance guarantee and the final plat" (§14.11.060(D)—Subdivision Ordinance). A final plat application must be filed within one year of the date of action by the City Council. A request for extension may be made by the sub-divider in writing prior to the expiration date. One-year extensions are considered by the City Planning Commission.
B. The purpose for the subject preliminary plan request is to facilitate the dedication of 1.8 acres of land to the City for the future extension of Power Drive (1.1 acres) and widening of 35th Avenue (0.7 acres). The applicant plans to construct the segment of Power Drive between 35th Avenue and the westerly drive into the subject property. Power Drive is currently a private drive that provides access to 20 and 100 Power Drive through 35th Avenue. The new public street will be centered in a 66-foot wide right-of-way. The land dedication along the north of the subject property will go towards a future City endeavor to widen 35th Avenue. The proposed expansion will ensure that the street profile width of 35th Avenue is consistent with Metro Drive. All streets shall be built to City standards.
C. The remaining land area leftover after the proposed land dedication will result in a single lot comprised of 12.06 acres, which is consistent with the purpose and intent of Title 14: Subdivisions and Title 15: Zoning of the Council Bluffs Municipal Code. The proposed 280-unit multi-family residential development will occur on said lot.
D. The subject property is zoned P-C/Planned Commercial District. The applicant has requested to adopt a planned commercial development plan to establish standards for site development, off-street parking, architectural, landscaping and signage standards for the proposed multifamily residential development. All development on the subject property shall comply with said development plan (Case #PC-24-002).
E. Public water, sanitary sewer and storm sewer utilities are either available or will be extended to service the subject property. All utilities shall be installed underground. All costs to construct, remove and/or relocate utilities for the proposed subdivision shall be the responsibility of the developer and not the City.

F. The Lake Manawa Centre Subdivision plat includes five (5) and ten (10) foot wide utility easements which shall be replaced by the proposed ten (10) foot wide utility easement shown around the entire perimeter of the proposed subdivision.
G. The applicant shall coordinate with the City on sidewalk placement and timing of installation. All sidewalks shall be built to City standards. All costs associated with sidewalk installation shall be the responsibility of the developer and not the City.
H. All future streetlights shall meet Public Works Department standards. All costs associated with installation of streetlights shall be the responsibility of the developer and not the City.
I. The subject property is located within an AH flood zone. Any construction that occurs on the proposed subdivision shall comply with all applicable floodplain development regulations.

The Council Bluffs Public Works Department provided the following comments:
A. The proposed right-of-way dedication is as requested for both 35th Avenue and Power Drive.
B. The Public Works Department will continue to work with the developer's engineer on the following items: final drainage analysis and storm sewer design; final pavement construction documents; sanitary sewer improvements; and final grading and erosion control plan.

The Council Bluffs Chief of Staff stated that the proposed multifamily land use is compatible and desirable in this location and within the P-C zoning district. The intent of adding residential units within commercial areas is to help generate additional customer traffic and provide workforce housing for people that work in the area. Adding residential units in the central area of the subject P-C district, between the Manawa Power Center and Metro Crossing, creates opportunities to walk between some of the retail, restaurants, and proposed apartments.

The Council Bluffs Parks and Recreation Department stated that to be consistent with other requests within the subject shopping center, a sidewalk should be installed along 35th Avenue.

The Council Bluffs Police Department has no comment or objection to the proposal.

The Council Bluffs Fire Department has no comment on the proposal.

Council Bluffs Water Works stated they will require a water main extension down Power Drive. The applicant shall contact Council Bluffs Water Works to discuss said extension.

MidAmerican Energy stated they have no initial concerns with the proposed development and that the developers or their agents shall contact MidAmerican Energy directly to discuss project timelines and identify costs and requirements associated with extending electric service to the development.

CASE #PC-24-002

Section 15.18.010, Statement of Intent, P-C/Planned Commercial District, of the Council Bluffs Municipal Code (Zoning Ordinance) states that "*the P-C district is intended to provide for the development of retail shopping centers, hotel/motel services, destination resorts, and office parks. Facilities in planned commercial districts are designed to be used in common, such as ingress and egress roads, extensive parking accommodations, proper relations to traffic arteries, and compatibility with surrounding uses. Because large retail/service centers have significant impact upon the development of the city, final authority over their development shall be retained by the city council, with extensive review by the planning commission*." The developer is proposing to adopt a planned commercial development plan for the subject property in order to establish site development, off-street parking, architectural, landscaping and signage standards for the proposed multifamily residential development. In 2021, "dwelling, multifamily" was added as a principal use to the P-C District by Ordinance No. 6441 and a planned commercial development plan was adopted for the formerly proposed carwash development on the

subject property. As a part of this request, the applicant is proposing to rescind the previously approved development plan as it is no longer applicable to the subject property (Reso. No. 21-96).

Site Development

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

B. The maximum height allowed for principal structures shall be 60 feet. The maximum height allowed for detached garages and storage units shall be 18 feet. The maximum height for the proposed clubhouse structure shall be 30 feet, as shown on the submitted elevations.

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

D. 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 their assign. It is encouraged that the pedestrian connection be incorporated into the overall layout of the lot.

E. Sidewalks shall be stubbed out to the property line in order to facilitate future sidewalk connections. Said sidewalk connection points shall be shown on the final site plan.

F. No fencing is proposed at this time. Any fencing, including trash receptacle screening, that is clearly visible from Power Drive or 35th Avenue shall be constructed of masonry, wood, and/or vinyl and shall not exceed four (4) feet in height. All fences/walls shall be installed in accordance with Section 15.24.040, Fence Regulations, of the Council Bluffs Municipal Code (Zoning Ordinance) and shall be permitted separately prior to installation.

G. 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).

H. 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. All exterior lighting shall be shielded from and/or directed way from adjacent properties. A detailed photometric plan showing the location and type of light fixtures shall be submitted at the time of permit review.

I. 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.

J. The submitted plans show three (3) storage buildings, for a total of 50 storage units, located on the east and south portions of the subject property and are generally not visible from adjacent right-of-way. No storage units shall be placed so that they are clearly visible from adjacent right-of-way. Storage units shall be considered an accessory use to the overall residential development and shall only be utilized by tenants of the site and/or property managers. Storage units shall not be utilized for commercial or by non-residents/property managers.

K. 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.

L. All grading and drainage activity for this development shall be completed in accordance with Public Works standards.

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 apartment units is based on the following calculation:

1. Studio and 1-bedroom units: 1 space per dwelling unit
2. 2+ bedroom units: 1.5 space per dwelling unit

Based on the proposed composition of apartment units, a total of 384 parking spaces are required. The submitted site plan (Attachment 'E') shows 399 parking spaces (299 standard and 100 garage spaces) will be provided for the entire development, exceeding the minimum required.

B. 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).

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

D. The subject property is centrally located between two of Council Bluffs primary shopping centers and within walking and biking distance of retail, restaurant, and employment opportunities and the City's trail system. Bicycle parking shall be incorporated into the overall layout of the site, as follows:

1. The proposed apartment buildings are not designed to have a primary entrance, but rather multiple entrance points on each building. Designated bicycle parking areas for each building shall be placed within a reasonable distance to entrances and convenient location as to encourage on-site bicycle storage and use. Bicycle parking areas shall be shown on the final site plans. The applicant shall coordinate with the Community Development Department on placement of bicycle parking areas.

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

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

    i. The proposed development includes four (4) multifamily buildings and a clubhouse, which equates to a minimum of 20 required bicycle parking spaces.

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

E. A parking lot permit shall be submitted with the building permit application for the proposed buildings, 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.

Landscaping

A. The submitted landscaping plan, included as Attachment 'E,' shows 46 tree plantings, evenly spaced along the frontages of the subject property, and 18 tree plantings on all internal landscape peninsulas with a mixture of turf seed, native seed mix, and detention basin seed mix in areas throughout the site.

Tree plantings along the frontages shall consist of one (1) deciduous shade tree shall be planted every 20 feet, on-center, along Power Drive and 35th Avenue, for a minimum of 46 trees. One (1) deciduous shade tree shall be planted per landscape island/peninsula, to the extent practicable. The plant list table on the submitted landscaping plan identifies six (6) tree species, four (4) shrub species, three (3) perennial species, and three (3) grass species to be utilized throughout the subject property. However, it is not clear which plant species will be planted in which locations on the property. The Community Development Department recommends that the proposed landscaping is generally acceptable and shall be adopted as submitted with the following modifications:

A. The landscape plan submitted with the building permit applications shall show the placement, species, quantity, and spacing of all plantings and shall show dimensions of all areas to be landscaped.

B. A landscape hedge a minimum of three (3) feet in height shall be planted between the spacing of the required frontage trees along 35th Avenue and Power Drive to provide a barrier between the subject property adjacent retail users. The purpose of the landscape hedge is to minimize flow of debris from adjacent retail users to the subject property. The applicant shall work with the Community Development Department on identifying the appropriate species and spacing to effectively create a landscape barrier.

C. Foundation plantings shall be placed along the perimeter of all facades visible from a public right-of-way at a rate of one planting per lineal foot of façade, not inclusive of entrances.

B. 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.

C. 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.

D. 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.

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

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

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

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

I. 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.

Architecture

A. The submitted architectural renderings (see Sheets A5.1-A5.4 in Attachment 'D') show the exterior facades of all multifamily dwellings being constructed out of a mixture of stone and brick veneer, and three types of fiber-cement siding and designed with wall offsets, material changes, and height

variations. Each multifamily building is four-stories tall. Entrance to the multi-family buildings will be accessed through open-air stairwells that lead to open-air breezeways on each level. All facades highlighted in yellow in Attachment 'G' shall be comprised of a minimum of 50% durable materials, which includes brick, stone, and transparent glass and shall be used in a combination and pattern generally consistent with the submitted renderings. Architectural, non-corrugated metal paneling may also be utilized as a complementary material. No vinyl siding shall be allowed on any façade visible from a public right-of-way. The multifamily building facades shall utilize a minimum of three of the following elements of articulation: color changes, material changes, wall offsets, height variations, wall setbacks, accent lines, colonnades, or upper floor step backs to articulate building elevations.

B. Architectural renderings/elevations for the proposed clubhouse are shown in Sheet A1.11 of Attachment 'D.' The renderings show the exterior being comprised of primarily brick. These proposed architectural rendering for the clubhouse is acceptable. At a minimum the clubhouse shall have three (3) foot tall base comprised of a durable material (brick, stone) and be designed in a manner that is compatible with the overall development.

C. Architectural renderings/elevations for the proposed garages are shown in Sheet A1.12 of Attachment 'D.' The renderings show the rear garage elevations (facing outward towards Power Drive and 35th Avenue and adjacent properties to the east and south) being comprised of a brick and stone veneer base, with a mixture of fiber cement siding types. The front elevations of the garages include a brick base between the garage doors with fiber cement siding on the remaining portions of the façade. All facades highlighted in yellow in Attachment 'G' shall be comprised of a minimum of 50% durable materials, which includes brick, stone, and transparent glass and shall be used in a combination and pattern generally consistent with the submitted renderings. Architectural, non-corrugated metal paneling may also be utilized as a complementary material. No vinyl siding shall be allowed on any façade visible from a public right-of-way.

D. Architectural renderings/elevations for the proposed storage buildings (Sheet A1.13 of Attachment 'D') show the storage buildings having a stone base on the front facades with the remainder of the front façade and all other facades being comprised entirely of fiber cement siding. Three storage buildings are shown on the site plan, none of which have facades clearly visible from Power Drive or 35th Avenue. The proposed storage building designs are acceptable and shall be adopted as proposed.

E. Louvers, vents, or similar features shall be painted to match the façade to which it is attached.

F. 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.

G. 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.

H. Ground-mounted electrical transformers taller than three (3) feet in height shall be completely screened using fencing, landscaping, decorative vinyl wrapping, or a combination thereof.

I. Five (5) trash receptacles are identified on the submitted site plan. 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. A dimensioned rendering of the trash enclosures which identifies the material type shall be included with the building permits for the multifamily structures.

Signage

A. Per the submitted signage plan, the only proposed signage is a seven (7) foot tall monument sign (68.6 square feet in area, see Sheet A1.11 in Attachment 'D') located southwest of the 35th Avenue entrance, as shown in the submitted site plan (see Attachment 'E'). All signage on the subject property shall be subject to the following:

1. The total maximum amount of signage allowed shall be based on a calculation of one square foot per lineal foot of street frontage along a public street.

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.

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 75 square feet of signage per face. All ground/monument signs shall be designed utilizing colors and materials that are compatible with the overall development.

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.

B. Internal signage that is not visible from the public right-of-way or an adjacent property shall be considered exempt.

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

D. 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 adopt a planned commercial development plan for a 280-unit multi-family housing development for property legally described as Lot 10, Lake Manawa Centre Subdivision, a Subdivision located in the City of Council Bluffs, Pottawattamie County, Iowa except a tract of land located in part of Lot 10, Lake Manawa Centre Subdivision as platted and recorded in Pottawattamie County, Iowa, subject to the comments stated above and the following conditions:

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; and

2. The previously approved development plan for the subject property shall be rescinded as it is no longer applicable to the proposed development (Resolution No. 21-96).

B. Preliminary plan approval to dedicate 1.8 acres of land to the City for the future extension of Power Drive and widening of 35th Avenue on property legally described as Lot 10, Lake Manawa Centre Subdivision, a Subdivision located in the City of Council Bluffs, Pottawattamie County, Iowa except a tract of land located in part of Lot 10, Lake Manawa Centre Subdivision as platted and recorded in Pottawattamie County, Iowa, subject to all comments stated above.

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, City of Council Bluffs, Planning and Code Compliance Manager, 209 Pearl Street, Council Bluffs, IA 51503

Speakers in favor:
1. Jon Blumenthal, McGrath North, 1601 Dodge Street, Suite 3700, Omaha, NE 68102
2. Lawrence Mazzotta, Meridian Development/Cornerstone Housing Group, LLC, 209 South 19th Street, Suite 100, Omaha, NE 68102

Speakers against: None

The City Planning Commission recommended the following:

A. Approval of the request to adopt a planned commercial development plan for a 280-unit multi-family housing development for property legally described as Lot 10, Lake Manawa Centre Subdivision, a Subdivision located in the City of Council Bluffs, Pottawattamie County, Iowa except a tract of land located in part of Lot 10, Lake Manawa Centre Subdivision as platted and recorded in Pottawattamie County, Iowa, subject to the comments stated above and the following conditions:

   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; and
   2. The previously approved development plan for the subject property shall be rescinded as it is no longer applicable to the proposed development (Resolution No. 21-96).

B. Approval of a preliminary subdivision plan to dedicate 1.8 acres of land to the City for the future extension of Power Drive and widening of 35th Avenue on property legally described as Lot 10, Lake Manawa Centre Subdivision, City of Council Bluffs, Pottawattamie County, Iowa except a tract of land located in part of Lot 10, Lake Manawa Centre Subdivision as platted and recorded in Pottawattamie County, Iowa, subject to all comments stated above.

VOTE: AYE – Freund, Hutcheson, Knauss, Rater, Rew, Van Houten, and Watson. NAY - None ABSTAIN – None. ABSENT – Stroebele. VACANT - Three Motion: Carried.

Attachments

Attachment A: Legal Description
Attachment B: Letter of Intent

Attachment C: Preliminary Subdivision Plan
Attachment D: Architectural Renderings
Attachment E: Site Layout and Civil Plans
Attachment F: Floor Plans
Attachment G: Highlighted Facades

Prepared by: Haley Weber, Planner, Community Development Department