City Council Communication

Department: Community Development CASE #PR-23-002(M) Applicant/Property Owner: Josies Development LLC David Clausen 129 North 10th Street, Suite 313 Lincoln NE, 68508	Resolution No. _____	City Council: 1/13/25 Planning Commission: 12/10/2024

Subject/Title

Request: Public hearing on the request of Josies Development LLC to amend the adopted planned residential development plan on Lots 1 through 8, Josie's Development Addition, City of Council Bluffs, Pottawattamie County, Iowa.

Location: Undeveloped land lying north of 14th Avenue, between South 16th Street and South 17th Street

Background/Discussion

The Community Development Department has received an application from Josies Development LLC to amend the adopted planned residential development plan on Lots 1 through 8, Josie's Development Addition. The purpose of this request is to modify the design and layout of the proposed residential development on the subject properties.

On August 14, 2023, City Council passed Ordinance No. 6566 and Resolution 23-219 to append a PR-2 Overlay (Site-Specific Infill Development) onto the subject properties and adopt the associated planned residential development plan. The original proposal consisted of eight site-built, slab on-grade homes that would have been constructed by NeighborWorks Home Solutions and were intended to serve as workforce housing associated with the IceCap cold storage facility at 1720 16th Avenue. The applicant is no longer in partnership with NeighborWorks. The applicant now intends to install a one-story modular home on each lot of the subdivision. The same building design will be used for all eight homes. The proposed homes will have full basements and rear-loading attached garages, which will be accessed via a private driveway. To accommodate the private driveway, the applicant is proposing to dedicate a 16-foot wide access easement along the north end of all eight lots. The proposed modifications to the project will substantially alter the design and layout of the proposed development and thus must be reviewed the City Planning Commission and approved by City Council.

Property Owner Notification – Public notices were mailed to all property owners within 200 feet of the request. The Community Development Department has received no comments 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. The private access easement should be dedicated to the adjacent lots.

2. The private driveway shall be paved to a minimum of six inches of Portland cement concrete, as stated in the letter of intent (see Attachment 'B').

3. Basements in this area of Council Bluffs are not acceptable due to potential groundwater issues and the need for sump pumps and the lack of adequate infrastructure to handle flow generated by sump pumps.

4. Utility connections in 14th Avenue shall minimize the potential damage to the roadway; excess damage will warrant street improvements beyond the utility path.

B. The Council Bluffs Parks and Recreation Department stated that they have no comments on the request.

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

D. The Council Bluffs Police Department stated that they have no comments or objections to the request.

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

F. MidAmerican Energy stated that they have no conflicts or concerns with the request.

Planned Residential Development Plan – 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 applicant is proposing to amend the adopted planned residential development plan on Lots 1 through 8, Josie's Development Addition to modify the design and layout of the proposed residential development on the subject properties. Amendments to the adopted development plan reflecting the proposed modifications to this project are highlighted or crossed out below. All other development standards outlined in the adopted development plan will remain in effect.

A. Site Development

1. All principal and accessory structures shall comply with all site development standards (i.e., setback distances, building height, and lot coverage) in Section 15.09.050, Site Development Regulations, R-2/Two-Family Residential District, of the Municipal Code (Zoning Ordinance).

    a. **EXCEPTION**: The minimum required street-side yard setback for Lots 1 and 8, Josies Development Addition shall be six feet provided no structure or any other obstruction is placed within an isosceles triangle having sides of 35 feet each running along the edge of the pavement, or curb if present, of each abutting street.

        i. The updated site layout on Attachment 'C' shows the proposed modular homes will comply with all site development standards adopted in the original planned residential development plan. No further modifications will be required at this time.

2. All fencing in the subdivision shall comply with the standards stated in Section 15.24.040, Fence Regulations, of the Council Bluffs Municipal Code (Zoning Ordinance).

3. All site lighting shall comply with the standards stated in Section 15.24.050, Lighting Controls, of the Council Bluffs Municipal Code (Zoning Ordinance).

B. Off-Street Parking

1. The required number of off-street parking spaces for each home shall be based on the standards in Section 15.23.060, Parking Spaces Required, of the Municipal Code (Zoning Ordinance).

    a. Single-family dwelling, detached: Two parking spaces per dwelling unit.

2. All parking/loading 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).

    a. The developer is proposing to dedicate an access easement along the northerly 16 feet of Lots 1 through 8, Josie's Development Addition to accommodate a private driveway that will extend from South 16th Street to South 17th Street and will provide vehicular access to the proposed rear-loaded garages. The private driveway shall be constructed out of six inches of Portland cement concrete, in accordance with the applicant's letter of intent (see Attachment 'B').

    b. The proposed private driveway/access easement shall be dedicated to and maintained by the respective owners of Lots 1 through 8, Josie's Development Addition. The access easement agreement shall be recorded with Pottawattamie County prior to the issuance of the building permit for the first home in the proposed development.

C. Landscaping

1. The applicant did not provide a landscaping plan for the proposed development. The Community Development Department recommends that one ornamental street tree be planted along the frontage of each lot prior to the issuance of the Certificate of Occupancy for each residence.

D. Architecture

~~1. The submitted architectural renderings show the proposed homes will consist of two-story houses with slab foundations and front-loaded garages. The applicant is proposing four design variations for the homes, which are shown in Attachments 'E,' 'F,' 'G,' and 'H.' The submitted architectural renderings are generally acceptable and shall be considered a baseline for the homes that are constructed as part of this development.~~

1. The submitted architectural renderings in Attachment 'E' show the proposed workforce housing development will consist of one-story modular homes with rear-loaded attached garages. The same building design will be used for all eight homes. Building materials on the front façade include wood veneer siding, lap siding, and glass. The other building façades will feature board and batten siding and windows. The proposed building elevations are generally acceptable and shall be adopted as proposed.

    a. No architectural renderings for the proposed attached garages were submitted by the applicant. All garages (attached and/or detached) within the proposed development shall be constructed out of building materials that architecturally compatible with the general appearance of the principal structures.

2. The letter of intent submitted by the applicant (see Attachment 'B') indicates the proposed homes will have full basements. As noted above by the Public Works Department, basements in this area of Council Bluffs are discouraged due to potential groundwater issues. Therefore, all proposed homes shall be constructed as slab on-grade or on a crawlspace. No basements shall be allowed in the proposed development.

E. Signage

1. A signage plan was not submitted with the development plan. All signage shall be installed in accordance with Section 15.33.160(C) of the Council Bluffs Municipal Code (Zoning Ordinance).

Recommendation

The Community Development Department approval of the request to amend the adopted planned residential development plan on Lots 1 through 8, Josie's Development Addition, City of Council Bluffs, Pottawattamie County, Iowa, 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.

Public Hearing

Staff speakers for the request:

1. Moises Monrroy, City of Council Bluffs, 209 Pearl Street, Council Bluffs, IA 51503
2. Christopher Gibbons, City of Council Bluffs, 209 Pearl Street, Council Bluffs, IA 51503

Speakers in favor:

1. David Clausen, 129 N. 10th Street, Suite 313, Lincoln, NE 68508

Speakers against: None

The Planning Commission recommended approval of the request to amend the adopted planned residential development plan on Lots 1 through 8, Josie's Development Addition, City of Council Bluffs, Pottawattamie County, Iowa, 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.

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

Attachments

Attachment A: Location/Zoning Map
Attachment B: Letter of Intent
Attachment C: Site Layout
Attachment D: Building Plans
Attachment E: Architectural Renderings

Prepared by: Moises Monrroy, Planner, Community Development Department