Planning Commission Communication

Department: Community Development CASE #PR-25-002 Applicant: Broadmoor Development 809 N. 96th Street Omaha, NE 68114 Property Owner: 92 Investments, LLC 22735 James Drive Council Bluffs, IA 51503	Resolution No. _____	City Council: 6/9/2025 Planning Commission: 5/13/2025

Subject/Title

Request: Public hearing on the request of Broadmoor Development, represented by Bob Stratton, to adopt a PR-1/Planned Residential Development Plan for a multi-family residential development on property legally described as being part of the SE1/4 NE1/4 of Section 4-74-43, City of Council Bluffs, Pottawattamie County, Iowa.

Location: Undeveloped land located at the northwest corner of the intersection of Eastern Hills Drive and Greenview Road

Background/Discussion

The Community Development Department has received an application from Broadmoor Development, represented by Bob Stratton, to adopt a PR-1/Planned Residential Development Plan for a multi-family residential development on property legally described as being part of the SE1/4 NE1/4 of Section 4-74-43, City of Council Bluffs, Pottawattamie County, Iowa. The property is comprised of 19.73 acres of land and is located at the northwest corner of the intersection of Eastern Hills Drive and Greenview Road, which are classified as arterial roadways.

The subject property is zoned R-3/Low Density Multi-Family Residential District with an appended PR/Planned Residential Overlay. Both designations were applied in 1999 during a large annexation that included the area now developed as Briarwood Subdivision (see Ordinance #5470). Additionally, the property has an expired PR development plan for 19-lot townhome/multi-family/mixed-use development that was proposed by the current property owner, 92 Investments Inc., and approved by City Council on June 24, 2019 via Resolution No. 19-161. The applicant, Broadmoor Development, is now seeking approval of their proposed PR-1 development plan, which is intended to regulate the design and layout of their multi-family development.

The applicant's proposed development plan shows a 231-unit apartment community with a mixture of studio, one-, two-, and three-bedroom units that will be constructed over a 3 ½ year timeframe. Apartment building profiles consist of two- and three-story buildings with attached garages. Site amenities include a 6,000 square foot clubhouse that will include: leasing offices, a fitness center, conference rooms, dog wash/spa, and mailrooms with 24-hour access. An outdoor pool and dog park are also proposed as amenities for the residents. The site layout plan shows 13 apartment buildings, five detached garage buildings, 142 surface parking stalls, and an extension of Tipton Drive, which will be dedicated to the City. The submitted landscaping plan shows street trees along the frontage of Eastern Hills Drive and landscaped parking lot islands. Stormwater detention will be

handled via a basin located at the southernmost point of the site, adjacent to the Eastern Hills Drive/Greenview Road round-a-bout. A copy of the applicant's letter of intent and proposed development plans are included with this report as Attachments 'A-D'.

Zoning/Land Use

The subject property is zoned R-3/Low Density Multi-Family Residential District with an appended PR/Planned Residential Overlay and is surrounded by the following zoning districts and land uses:

Direction	Existing Zoning Districts	Existing Land Uses
North	R-1/Single-Family Residential District	Single-family residential dwellings
South	R-1/Single-family Residential District, C-2 District (County), R-2 District (County), and R-3 District (County)	City maintenance facility and sanitary sewer lift station, single-family residential dwellings, and a tree farm.
East	R-3/Low Density Multi-Family Residential District and R-2 District (County)	Eastern Hills Park, single-family dwellings, and farm.
West	R-3/Low Density Multi-Family Residential District, C-2/Commercial District, R-2/Two-Family Residential District, and R-3 District (County)	Undeveloped land, contractor shop, and attached single-family dwellings.

A location/zoning map is included with this report as Attachment 'E.'

Public notices were mailed to all property owners within 200 feet of the subject property. Said notices are not required by ordinance since this request did not involve a change to the City's Zoning Map. City staff sent the notices as a courtesy to the adjacent landowners since the proposed multi-family development differs substantially from the previously approved townhome/multi-family/mixed use development on the subject property. The Community Development Department received the following comments:

1. Tyler and Karol O'Brien, 729 Redwood Drive, Council Bluffs, Iowa stated they are opposed to the proposed multi-family development due to the density of the development; land use incompatibility to the adjacent single-family residential neighborhood (Briarwood); and on-going grading/dirt removal and the associated impacts on abutting properties. A copy of their email is included with this report as Attachment 'F'.
2. Sara Faris, 4115 Briarwood Drive, Council Bluffs, Iowa, submitted an opposition email on behalf of the Briarwood Homeowners Association. Mrs. Faris stated the Briarwood HOA is opposed to the proposed multi-family development due to the following reasons:
    a. Incompatibility with an established neighborhood character;
    b. Increased transient residency and reduced community cohesion;
    c. Loss of privacy and potential security concerns;
    d. Negative impact on property values; and
    e. Inadequate buffer and poor transition between zoning types.

    A copy of Mrs. Faris's opposition email is included with this report as Attachment 'G'.
3. Tom Quigley, 1719 Tipton Drive, Council Bluffs, Iowa submitted an opposition email on behalf of the Briarwood Homeowners Association. Mr. Quigley stated the Briarwood HOA is opposed to the proposed multi-family development due to land use incompatibility with the abutting single-family residential

neighborhood and dust concerns due to the on-going dirt removal from the subject property. A copy of Mr. Quigley's email is included with this report as Attachment 'H'.

City Departments and Utilities – All City departments and local utility providers were notified of the proposed request. The following comments were received:

1. Council Bluffs Public Works Department (CBPW) stated the civil plans and geotechnical report are under review and staff will continue to work with applicant's engineer of record on the final plan designs. CBPW also stated a drainage report must be submitted to the City for review.

2. Council Bluffs Fire Department (CBFD) stated a fire hydrant must be installed between Buildings 5 and 6, as well as, in front of the proposed clubhouse. All other proposed hydrant coverage and fire access comply with CBFD requirements.

3. The Council Bluffs Police Department stated they have no comments or objections regarding the request.

4. Council Bluffs Water Works stated they are in discussions with the applicant about providing water to the proposed development and have no further comments at this time.

5. MidAmerican Energy stated they have no conflicts or concerns with the proposed development. MidAmerican Energy and the applicant are have held discussions about electrical distribution and service extension requirements for the development.

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 in which it is located."* Furthermore, Section 15.28.020, Applicability, of the CBMC (Zoning Ordinance) states that "*A PR Overlay may be applied to all residential zoning districts, except the R-1M/Single-Family Manufactured Housing District, and the A-P/Administrative-Professional District"* and *"The PR-1 Overlay is intended for general master planned development. The minimum tract of land considered for a PR-1 Overlay shall be one and a half (1 ½) acres."* The purpose of this request is to adopt a site-specific PR-1/Planned Residential development plan for a 231-unit apartment complex on a 19.73 acre parcel of land.

A. Site Development

1. Per Section 15.28.020, Applicability, of the CBMC (Zoning Ordinance), the minimum land area required for a PR-1 Overlay is 1.5 acres. The subject property is comprised of 19.73 acres, which meets the requirements for a PR-1 Overlay/development plan.

2. A 'dwelling, multi-family' use is classified as a principal use, as per Section 15.10.020, Principal Uses, R-3/Low Density Multi-Family Residential District, of the CBMC (Zoning Ordinance). Multi-family residential uses are permitted "by-right" in an R-3 District and do not need separate approvals from the City Planning Commission or City Council. The purpose of the PR-1 development plan is to establish standards for the development of the property and the design of the buildings.

3. The total maximum number of apartment dwellings units on property zoned R-3 District is based on the following calculation, as per Section 15.10.050, Site Development Standards, R-3/Low Density Multi-Family Residential District:

a. 5 or more units = 9,000 square feet of lot area plus an increase of 2,000 square feet per each additional unit.

The subject property contains 19.73 acres (859,438 square feet) and is therefore allowed a maximum of 425 apartment dwelling units, based on the above calculation. The applicant's proposal is to construct 231 apartment dwelling units, which is 54% of the total maximum allowed units on the subject property. The total number of proposed apartment dwelling units complies with R-3 District density standards.

4. A minimum 10-foot perimeter setback from all abutting property lines and rights-of-way shall be provided. Based on the topography of the site and the layout of the development, the following building setbacks will be provided:

   a. Buildings 1-4: 20 feet or more from the property line abutting Eastern Hills Drive; and 200 feet or more from all other property lines;
   b. Buildings 5 and 6: 200 feet or more from all property lines;
   c. Buildings 7 and 8: 150 feet or more from all property lines;
   d. Buildings 9-12: 200 feet or more from the northerly property line; 60 feet from the westerly property line; and 80 feet or more from the easterly/southerly property line.
   e. Buildings 13 and 14: 300 feet or more from the northerly property line; 150 feet or more from the westerly property line; and 150 feet or more from the easterly/southerly property line.
   f. Garage buildings 1-5 are centrally located within the development and are surrounded by buildings and/or parking lots.

5. Per Section 15.10.050, Site Development Standards, R-3/Low Density Multi-Family Residential District the maximum allowed height for a principal structure (i.e., the proposed apartment buildings) is 60 feet and the maximum allowed height for an accessory structure is 18 feet. The applicant's submittal shows two- and three-story apartment buildings ranging in height from 27' 11" to 39' 6". The proposed clubhouse will measure 23' 4" in height and is considered a principal structure in the overall development. The height of the garages is not known at this time but shall not exceed 18 feet in height.

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

7. 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, change in surface material, curb and/or grade separation, or some other alternative design approved by the Community Development Department Director or their assignee. It is encouraged that the pedestrian connection be incorporated into the overall layout of the site.

8. All trash receptacles and/or dumpsters shall be enclosed on three sides with a masonry, wood, or vinyl fence and have a lockable gate that when closed completely eliminates view of the dumpster.

9. All fences and walls shall be installed in accordance with Section 15.24.040, Fence Regulations, of the Council Bluffs Municipal Code (Zoning Ordinance). The proposed clubhouse swimming pool shall be fenced in accordance with all applicable federal, state, and local requirements.

10. All site lighting shall comply with the standards in Section 15.24.050, Lighting Controls, of the Council Bluffs Municipal Code (Zoning Ordinance). A photometric plan for all proposed outdoor lights shall be submitted to the City at the time of building permit review. Light pole materials shall be painted or

finished aluminum or steel. Light poles shall not exceed 25 feet in height, as measured from finished grade to the top of the light fixture/pole.

11. Any solar energy conversion systems installed at this site shall comply with the standards stated in Section 15.34.030. Solar Energy Conversion Systems, of the Council Bluffs Municipal Code (Zoning Ordinance).

12. 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.

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

14. All grading, drainage, and stormwater management activities shall be completed in accordance with Public Works standards.

15. Dust control measures (i.e., water trucks) shall be used during all construction phases to ensure fugitive dust is contained to the site and does not encroach onto neighboring properties or adjacent street rights-of-way, as best as possible.

16. The submitted plans show an extension of Tipton Drive that will interconnect with Eastern Hills Drive. Tipton Drive and Belmont Drive were stubbed-out as part of the construction of Briarwood Subdivision Phase 1 for the purpose of providing additional access to the subject property. Belmont Drive is not proposed to be extended. The Tipton Drive extension was requested by the City of Council Bluffs to provide an additional access route for the Briarwood Subdivision and the proposed apartment development to Eastern Hills Drive and other local roadways nearby. The proposed Tipton Drive extension will be dedicated to the City of Council Bluffs by the developer via an acquisition plat. Said roadway shall be constructed to City standards and the acquisition plat shall be submitted by the developer to the City for acceptance prior to the last apartment building within the development being granted a certificate of occupancy.

B. Off-Street Parking

1. The minimum number of off-street parking spaces shall be calculated using the applicable parking ratios in Chapter 15.23, Off-Street Parking, Loading and Unloading of the Council Bluffs Municipal Code (Zoning Ordinance).

    a. The proposed development plans state 491 parking stalls will be provided for the development. These stalls vary from integrated garage parking (150 spaces), detached garages (49 spaces), surface parking (124 spaces), tandem stalls (150 spaces), and handicap accessible (18). Per Section 15.23.060, Parking Spaces Required of the Council Bluffs Zoning Ordinance the total number of required off-street parking spaces for a multi-family residential use is based on the following calculation:

        i. Efficiency and 1-bedroom units: 1 parking space per dwelling unit
        ii. Two-bedroom or more units: 1 ½ space per dwelling unit

    The total unit mix will consist of 141 one-bedroom units, 73 two-bedroom units, and 17 three-bedroom units. Based on this unit mix and the above stated parking calculations, a total of 276 parking stalls are required for the proposed 231-unit multi-family development. The submitted

site plan shows a total of 491 parking stalls, which complies with parking requirements stated in Section 15.23.060, Parking Spaces Required of the Council Bluffs Zoning Ordinance.

2. All off-street parking areas, driveways, drive aisles, and loading/unloading areas shall comply with the standards of Chapter 15.23, Off-Street Parking, Loading and Unloading, of the Council Bluffs Municipal Code (Zoning Ordinance) and any design requirements of the Public Works Department. Tandem parking stalls shall not be allowed to encroach into a required parking space or drive aisle.

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

4. Bicycle parking shall be provided and designed as follows:
    a. A minimum of four bicycle spaces shall be provided per building on-site, excluding detached garages. There are a total of 14 buildings; therefore, a minimum of 56 bicycle parking spaces must be provided.
    b. Designated bicycle parking areas shall be located within a reasonable walking distance of, and clearly visible from, the main entrance of each building. Bicycle parking may alternatively be provided in a publicly accessible designated indoor bicycle parking area within a convenient distance of a building entrance accessible to residents. If two buildings are located within close proximity of each other, the bicycle parking area for each building may be placed in the same location. Shared bicycle parking areas shall be located at an equal distance from the main entrance of each building.
    b. Outdoor bicycle racks shall be secured to the pavement in a location that does not conflict with pedestrian or vehicular circulation routes.
    c. Bicycle parking shall be installed prior to the issuance of a Certificate of Occupancy for each building.

6. A parking lot permit shall be submitted with the building permit application(s) and shall include the number, location, and dimensions of all drive aisles and spaces, bicycle parking, pedestrian ways, landscape islands, loading areas, and parking lot lighting.

C. Landscaping

1. The submitted landscaping plan shows the proposed locations and species of landscape plantings throughout the development. The plans are generally acceptable and shall be adopted as submitted.

2. The landscaping plan shows the existing tree lines along the northerly and westerly property lines will be retained to screen the development site from the abutting properties. This tree line shall remain intact and shall be supplemented with additional tree plantings in areas that have gaps and/or thin vegetation that does achieve a minimum 50% opacity.

3. A mixture of 57 deciduous, evergreen, and flowering trees are proposed along the street frontage of the site adjacent to Eastern Hills Drive. This equates to one tree per 31 linear feet of frontage. This shall be considered the minimum number of trees to be planted within the landscape frontage strip.

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

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

6. All tree species planted along the frontage of Eastern Hills Drive shall comply with the Council Bluffs Street Tree Guide and shall be reviewed and approved by the City prior to installation.

7. All trees shall have a minimum two-inch caliper width at the time of planting.

8. Landscaping shall not interfere with the sight clearance triangle at any intersection and shall not impede the vision of any motorist, cyclist or pedestrian at any street, driveway or pedestrian way.

9. No more than 10% of the landscaped area shall be of inorganic materials such as brick, stone, aggregate, metal, or artificial turf. Organic mulch may be used around trees and/or shrubs.

10. All disturbed areas without a specific landscape design shall be seeded or sodded with turf and/or prairie grass.

11. Minor modifications to the submitted landscaping plan may be approved administratively by the Community Development Director or their designee.

D. Architecture

1. Architectural renderings/elevations for the proposed development are shown in Attachment 'D'. The renderings show the exterior of all apartment buildings and the clubhouse being constructed of a combination of brick veneer masonry, fiber cement lap siding, corrugated metal, fascia, and aluminum windows and doors. The proposed building designs and materials are acceptable and shall be used in a combination and pattern generally consistent with the submitted renderings.

2. Architectural renderings for the detached garages were not provided by the applicant. The design of said garages shall be consistent with the materials and design of the proposed apartment buildings.

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

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

E. Signage

1. A signage plan was not submitted with the development plan. All on-premise signage shall be installed in accordance with all applicable standards in Chapter 15.33, Signs, of the Council Bluffs Municipal Code (Zoning Ordinance), including the standards for multifamily residential uses and PR/Planned Residential districts in Section 15.33.160, Residential District Signs.

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

3. A sign permit shall be obtained for any proposed attached, detached, and/or on-premise directional sign prior to installation.

Recommendation

The Community Development Department recommends approval of the request of Broadmoor Development, represented by Bob Stratton, to adopt a PR-1/Planned Residential Development Plan for a 231-unit multi-family residential development on property legally described as being part of the SE1/4 NE1/4 of Section 4-74-43, City of Council Bluffs, Pottawattamie County, Iowa, subject to the comments stated above and the following condition:

A. The PR-1/Planned Residential development plan shall become effective upon the applicant/developer purchasing the subject property; and

B. 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. Christopher Gibbons, Planning & Code Compliance Manager, City of Council Bluffs, 209 Pearl Street, Council Bluffs IA, 51503

Speakers in favor:
1. Bob Stratton, Broadmoor Development, 809 North 96th Street, Omaha, NE 68114
2. John Jerkovich, 92 Investments LLC, 535 West Broadway Suite 100, Council Bluffs, IA 51503

Speakers against:
1. Laura Fox, 1715 Tipton Drive, Council Bluffs, IA 51503
2. Virginia Gonterman, Briarwood HOA, 1711 Tipton Drive, Council Bluffs, IA 51503
3. Joshua Gonterman, 1711 Tipton Drive, Council Bluffs, IA 51503
4. Tyler O'Brien, 729 Redwood Drive, Council Bluffs, IA 51503
5. David Thomson, 733 Redwood Drive, Council Bluffs, IA 51503
6. Christine Mulligan, 719 Redwood Drive, Council Bluffs, IA 51503
7. Leland Fox, 1715 Tipton Drive, Council Bluffs, IA 51503

The City Planning Commission recommended approval of the request of Broadmoor Development, represented by Bob Stratton, to adopt a PR-1/Planned Residential Development Plan for a 231-unit multi-family residential development on property legally described as being part of the SE1/4 NE1/4 of Section 4-74-43, City of Council Bluffs, Pottawattamie County, Iowa, subject to the comments stated above and the following condition:

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

Attachments

Attachment A: Letter of intent
Attachment B: Civil Plans
Attachment C: Landscape Plan
Attachment D: Architectural Renderings
Attachment E: Location/zoning map
Attachment F: Opposition email from Tyler and Karol O'Brien
Attachment G: Opposition email from Sara Faris
Attachment H: Opposition email from Tom Quigley
Attachment I: Opposition email from Teri Price
Attachment J: Opposition email from Laura Bahrke

Prepared by: Christopher Gibbons, AICP, Planning Manager, Community Development Department