

PLANNING COMMISSION

COUNCIL BLUFFS PUBLIC LIBRARY, MEETING ROOM A 400 WILLOW AVENUE, COUNCIL BLUFFS, IA Tuesday, August 14, 2018 - 6:00 PM

- 1. CALL TO ORDER
- 2. ROLL CALL
- 3. ADOPTION OF AGENDA
- 4. APPROVAL OF MINUTES
- 5. PROOF OF PUBLICATION
- 6. REVIEW OF MEETING PROCEDURES
- 7. PUBLIC HEARINGS
 - A. ZC-18-011

Public hearing on the request from Samar Realty, LLC to rezone property legally described as being the South 87 feet of Lot 6, Block A, Curtis and Ramsey's Addition from C-1/Commercial District to R-3/Low Density Multi-Family Residential District.

The Community Development Department expanded the request to rezone properties legally described as Lots 4 and 5, Block A and the North 43 Feet of Lot 6, Block A, all in Curtis and Ramsey's Addition from C-1/Commercial District to R-3/Low Density Multi-Family Residential District.

Location: 1000 5^{th} Avenue, 1006 5^{th} Avenue, 1010 5^{th} Avenue, and 410 S. 10^{th} Street.

B. SUB-18-012, ZC-18-010 and PI-18-001

Combined public hearings on the request of Iowa Western Community College Foundation, represented by John Jorgensen of HGM Associates to rezone 39.50 acres of land from P-C/Planned Commercial District to P-I/Planned Industrial District. And final plat approval of a one-lot industrial subdivision to be known as Black Hills Subdivision and concurrent adoption of a planned industrial development plan on 10.27 acres of land.

Location: Generally located East of College Road, West of Interstate I-80, and South of East Kanesville Boulevard (U.S. Highway 6).

C. SUB-18-010 and PC-18-001

Combined public hearing on the request of Legacy CB, LLC for final plat approval of six-lot commercial subdivision to be known as The Marketplace, Replat 3, legally described as being a replat of Lots 1 and 2, The Marketplace Replat 2, and to amend the adopted planned commercial development plan for the Marketplace Subdivision.

Location: Southeast corner of Interstate 80/29 and South 24th Street.

D. SUB-18-011 and PC-18-002

Combined public hearing on the request of Royce Enterprises, Inc. for preliminary plan approval of a 13-lot commercial subdivision and to adopt a planned commercial development plan for 24 Park Place

Location: Southwest corner of the intersection of South 24th Street and Richard Downing Avenue.

E. Other Business

- A. City Council updates
- B. Other items of interest

8. OTHER BUSINESS

9. ADJOURNMENT

If you plan to attend this meeting and require special assistance please contact the Community Development Department at (712) 328-4629 at least 48 hours before the meeting.

Planning Commission Communication

Department: Community

Development

Case/Project No.: ZC-18-011 ZC-18-011 Council Action: 8/14/2018

Submitted by: Chris Meeks,

Planner

Description

Public hearing on the request from Samar Realty, LLC to rezone property legally described as being the South 87 feet of Lot 6, Block A, Curtis and Ramsey's Addition from C-1/Commercial District to R-3/Low Density Multi-Family Residential District.

The Community Development Department expanded the request to rezone properties legally described as Lots 4 and 5, Block A and the North 43 Feet of Lot 6, Block A, all in Curtis and Ramsey's Addition from C-1/Commercial District to R-3/Low Density Multi-Family Residential District.

Location: 1000 5th Avenue, 1006 5th Avenue, 1010 5th Avenue, and 410 S. 10th Street.

Background/Discussion

See attachments.

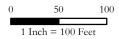
Recommendation

ATTACHMENTS:

Description	Type	Upload Date
ZC-18-011 UPDATED Case Map PC.pdf	Map	8/8/2018
ZC-18-011 Attach B Site Photos PC.pdf	Other	8/8/2018
ZC-18-011 Staff Report with Attachs PC	Other	8/10/2018

CITY OF COUNCIL BLUFFS - CITY PLANNING COMMISSION CASE #ZC-18-011 LOCATION/ZONING MAP









Last Amended: 7/19/18

Council Bluffs Community Development Department 209 Pearl Street Council Bluffs, IA 51503 Telephone: (712) 328.4629

Inis map is prepared and compared from City documents, plans and other public records data. Users of this map are hereby notified that the City expressely denies any and all responsibilities for errors, if any, in the information contained on this map of the misuse of the same by the user or anyone else. The user should verify the accuracy of information/data contained on this map before using it. The City assumes.



Attachment B:

Site Photos



Above: Aerial photo of subject properties (highlighted in red).



Planning Commission Communication

Department:	0.1.	
Community Development	Ordinance No	Planning Commission: 8/14/18
CASE # ZC-18-011		
Applicant:		
Samar Realty by Jeannette Fox 3110 Gold Rush Road		
Council Bluffs, IA 51501		
Country Diagram, III 51501		
Property Owner:		
ACC Holding LLC		
P.O. Box 762 Dubuque, IA 52004		
Dubuque, IA 32004		
Representative:		1
John Huston Hunter	ŀ	
Key Real Estate		
501 S. Main Street	į	
Council Bluffs, IA 51503		

Subject/Title

Request: Rezone property legally described as being the South 87 feet of Lot 6, Block A, Curtis and Ramsey's Addition from C-1/Commercial District to R-3/Low Density Multi-Family Residential District.

The Community Development Department expanded the request to rezone properties legally described as Lots 4 and 5, Block A and the North 43 Feet of Lot 6, Block A, all in Curtis and Ramsey's Addition from C-1/Commercial District to R-3/Low Density Multi-Family Residential District.

Location: 1000 5th Avenue, 1006 5th Avenue, 1010 5th Avenue, and 410 S. 10th Street.

Background

The Community Development Department has received an application from Samar Realty LLC, by Jeanette Fox, represented by John Huston Hunter of Key Real Estate, to rezone the property legally described as the South 87 feet of Lot 6, Block A, Curtis and Ramsey's Addition from C-1/Commercial District to R-3/Low Density Multifamily Residential. The applicant is proposing this rezoning to allow an existing building on the site to be renovated and used as a four unit multifamily dwelling. The building has historically been used as a multifamily dwelling, but has been vacant for many years, and has therefore lost the status as a legally nonconforming use in the C-1/Commercial District. The building is addressed as 1000 5th Ayenue.

The Community Development Department has expanded the request to include surrounding properties that are also currently legally nonconforming uses in the C-1/Commercial District. These properties are described as Lot 4, Lot 5, and the North 43 Feet of Lot 6, all in Block A, Curtis and Ramsey's Addition. The addresses of these properties are 1006 5th Avenue, 1010 5th Avenue, and 410 S. 10th Street. The expansion of the request also prevents the applicant's property from being spot-zoned in the C-1/Commercial District. The property owners included in the expansion of this rezoning have been notified, and the applicant was able to secure signatures from these property owners showing their approval.

Land Use and Zoning

The following land uses surround the subject properties:

North: Residential structures that are zoned in the R-3/Low Density Multifamily Residential District.

South: A commercial building that is zoned in the C-2/Commercial District

East: A commercial building that is zoned in the C-1/Commercial District

West: Residential structures that are zoned in the R-3/Low Density Multifamily Residential

The future land use plan of the Bluffs Tomorrow 2030 (comprehensive Plan) designates the subject property as Low-Density Residential.

Public notices were mailed to all property owners within 200 feet of the request. No comments were received for the request.

All City Departments and local utilities were notified of the proposed rezoning. The following comments were received:

- The Council Bluffs Fire Marshall stated they have no comments on the request.
- The Permits and Inspections Division stated the property has been vacant for a long time, and has lost its nonconforming provisions. The building will need to be brought up to current fire and building code requirements for multi-family dwellings.
- The Public Works Department stated they have no comments regarding the rezoning request, though feel that the availability of off-street parking for the multi-family dwelling needs to be addressed.
- Council Bluffs Water Works stated they have no comments on the request.

The following attachments are included with the case staff report:

- Attachment A: Location/zoning map
- Attachment B: Site Photos
- Attachment C: Approval of Owners of Properties Included in the Rezoning Request

Discussion

- 1. If approved, the subject properties will be zoned to the same district as properties located in the area.
- The proposed rezoning is consistent with the Future Land Use Plan of the Bluffs Tomorrow: 2030 Comprehensive Plan.
- 3. As stated in Section 15.26.030 *Nonconforming uses* (3) Abandonment of Nonconforming Use- "If any nonconforming use ceases for a continuous period of more than six months, any subsequent use shall conform to the regulations of this title." The applicant has stated that the subject four-unit multifamily dwelling (addressed as 1000 5th Avenue) has been vacant for approximately 12 years, meaning that the use is to be considered abandoned per the Zoning Ordinance. The proposed multifamily dwelling would not be an allowable use in the C-1/Commercial District, as it is currently zoned, but would be allowed in the proposed R-3/Low Density Multifamily Residential Zoning District as a Principal use.
- 4. Adequate utilities (e.g., water, sanitary sewer, electric, etc.) are available to accommodate the uses permitted in the R-3/Low Density Multi-Family Residential District.

Recommendation

The Community Development Department recommends approval of the request to rezone the properties legally described Lots 4, 5, and 6, Block A, Curtis and Ramsey's Addition, City of Council Bluffs, Pottawattamie County, Iowa, from C-1/Commercial District to R-3/Low Density Multifamily Residential District., based on reasons stated above.

Attachments

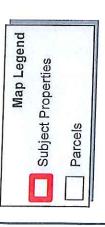
Attachment A: Location/zoning map

Attachment B: Site Photos

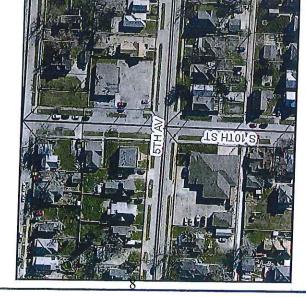
Attachment C: Approval of Owners of Properties Included in the Rezoning Request

Prepared by: Chris Meeks, Planner

CITY OF COUNCIL BLUFFS - CITY PLANNING COMMISSION CASE #ZC-18-011 LOCATION/ZONING MAP









Last Amended: 7/19/18

Geuncil Bluffis Community Development Department 209 Pearl Street Council Bluffs, IA 51503 Telephone: (712) 328,4629

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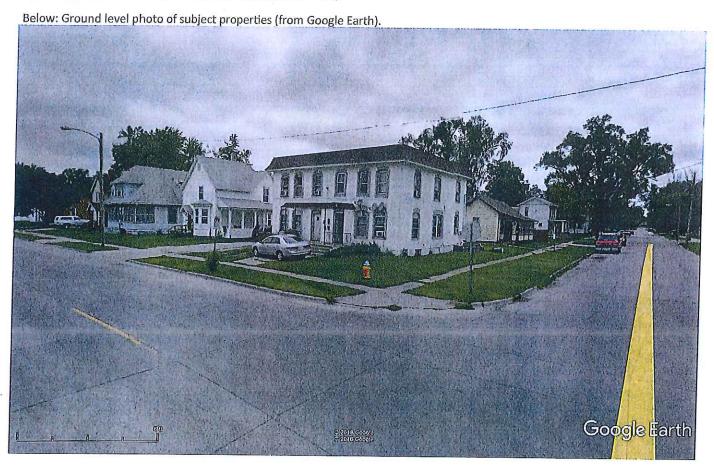


Attachment B:

Site Photos



Above: Aerial photo of subject properties (highlighted in red).



PETITION TO REZONE TO R3 MULTIFAMILY

1000 S 10TH St

Council Bluffs, IA 51501

7/25/2018

Name	Address	City/State/Zip	Signature
1 Coats Realty LLC	1006 5th Ave	CB/IA/51501	Ally a book
2 John Skradski	410 S 10th St	CB/IA/51501	the State
3 Sean Thomsen	1010 5th Ave	CB/IA/51501	Lalaur
otes:			
			and the state of t

Any questions Please contact:



CHRIS MEEKS

email: cmeeks@countilbluffs-la.gov

Planning Commission Communication

18-001

Council Action: 8/14/2018

Department: Community

Development

Case/Project No.: SUB-18-012, SUB-18-012, ZC-18-010 and PI-

ZC-18-010 and PI-18-001

Submitted by: Chris Meeks,

Planner

Description

Combined public hearings on the request of Iowa Western Community College Foundation, represented by John Jorgensen of HGM Associates to rezone 39.50 acres of land from P-C/Planned Commercial District to P-I/Planned Industrial District. And final plat approval of a one-lot industrial subdivision to be known as Black Hills Subdivision and concurrent adoption of a planned industrial development plan on 10.27 acres of land.

Location: Generally located East of College Road, West of Interstate I-80, and South of East Kanesville Boulevard (U.S. Highway 6).

Background/Discussion

See attachments.

Recommendation

ATTACHMENTS:

Description	Type	Upload Date
SUB-18-012, ZC-18-010 and PI-18-001 Attach A and B	Other	8/10/2018
SUB-18-012, ZC-18-010 and PI-18-001 Attach C, D, E and F	Other	8/10/2018
SUB-18-012, ZC-18-010 and PI-18-001 Attach G	Other	8/10/2018
SUB-18-012, ZC-18-010 and PI-18-001 Staff Report	Other	8/10/2018

LETTER OF INTENT Black Hills Subdivision / Development Plan

HGM# 107318 July 2018

Black Hills Corporation (BHC) is proposing to construct an Operations Center and Training Facility on approximately 10 acres of land between Iowa Western Community College and Interstate 80. The new BHC - Operations and Training Center will include a roughly 75,000 GSF mixed occupancy building with off street parking, training and material storage areas located on site. The two-story building will serve BHC with office space for roughly 150 employees and will include classrooms and labs for the training of employees around the region. The building also incorporates a meter shop which tests, refurbishes, and distributes gas meters across all the BHC service areas. Finally, an essential asset of the building is a material storage and garage area that supports the daily service activities for gas service to the surrounding area. The design of this building, as the first of this development, aims to serve as a positive example of how to design a commercial and industrial property as a good neighbor to the surrounding community.

Extension of the public Sanitary Sewer (10") and public Water Main (12") on the east side of College Road are currently being designed by others to serve this site. 15" and 24" public storm sewer currently existing on the east side of College Road and a culvert extends under Interstate 80. Existing MidAmerican Energy overhead power currently exists on the west side of College Road.

The proposed civil site infrastructure improvements include: private fire/domestic water and sanitary sewer services connecting to the public system, private storm sewer system which will drain to the site detention basin. Site improvements will include a concrete parking lot for public and employee parking with approximately 200 stalls, concrete sidewalks and storage yards. The site will be designed to accommodate semi tractor-trailer and the site will be secured with fencing and access gates.

A Storm Water Pollution and Prevention Plan will be developed base on Iowa DNR requirements and will incorporate Best Management Practices (BPM's) include silt fence, filter socks and silt control basins. In addition, a Post Construction (PCSMP) plan will be developed to meet the City of Council Bluffs requirements.

The parking lot lighting will include pole placement, buried electrical cable in conduit and electrical service for the exterior lighting system. Landscaping improvements will be included to comply with the City of Council Bluffs requirements

A geotechnical report was prepared by Thiele Geotechnical Inc. HGM is currently working with the Public Works Department on developing the site drainage report.

Construction is schedule to start this fall/winter with all work scheduled to be complete by May 2020. All project work will be completed as one phase.

This letter was authored by John Jorgensen, PE, HGM Associates Inc.

Attachment D

	RECORE	ER'S I	NDEX	
LOT: 1				
BLOCK;				
SUBDIVISION	BLACK HIL	LS SUE	DIVISION	
ALIQUOT PA	RT:			
SECTION				
SECTION:	/TOWNSH	P:	/ RANGE:	
CITY: COUN	IL BLUFFS			
COUNTY: PO	MATTAWATTAM	ΙE		
PROPRIETOR	IOWA WES	TERN F	OUNDATION	
REQUESTED	BY: BLACK	HILLS (CORPORATION	
DATE OF FIR	LD SURVEY:	JUNE	3, 2018	

PREPARED BY: JONATHAN M. LEISINGER, P.L.S., HGM ASSOCIATES INC., P.O. BOX 919, COUNCIL BLUFFS, IOWA 51502 (712)323-0530

OWNER:
IOWA WESTERN FOUNDATION
2700 COLLEGE ROAD
COUNCIL BLUFFS, IOWA 51503

DEVELOPER: BLACK HILLS CORPORATION P.O. BOX 1400 RAPID CITY, SOUTH DAKOTA 57709

OTE:

A 5.00 FOOT WIDE PERMANENT EASEMENT ON EACH SIDE OF ALL SIDE LOT LINES, A 10.00 FOOT WIDE PERMANENT EASEMENT ALONG ALL FRONT LOT LINES, AND A 5.00 FOOT WIDE PERMANENT EASEMENT ALONG ALL REAR LOT LINES, ARE RESERVED FOR THE INSTALLATION AND MAINTENANCE OF UTILITIES.

CITY COUNCIL

APPROVED BY MAYOR: THE HONORABLE MATTHEW J. WALSH DATE

ATTESTED TO BY:

CITY CLERK: JODI QUAKENBUSH DATE

COMMUNITY DEVELOPMENT DIRECTOR: BRANDON GARRETT DATE

CERTIFICATE OF TREASURER OF POTTAWATTAMIE COUNTY, IOWA

I, THE TREASURER OF POTTAWATTAMIC COUNTY, IOWA, HERBY CERTIFY THAT THE PROPERTY INCLUDED IN MIDLANDS SUBDIVISION, IS FREE FROM CERTIFIED TAXES AND CERTIFIED SPECIAL ASSESSMENTS.

TREASURER OF POTTAWATTAMIE COUNTY, IOWA: LEA A. VOSS DATE

WE HEREBY CERTIFY THAT WE WILL MEET ALL EQUAL OPPORTUNITY AND FAIR MARKETING OBJECTIVES CONSISTENT WITH FEDERAL, STATE AND LOCAL GUIDELINES. WE HEREBY CERTIFY THAT THE FOLLOWING DOCUMENTS WILL BE RECORDED WITH THE POTTAWATTAMIE COUNTY RECORDER CONTEMPORANEOUSLY WITH THE FILING OF THE FINAL PLAT.

- A. ALL PRIVATE RESTRICTIONS AND/OR COVENANTS, IF ANY, WHICH WILL BE A PART OF THE SUBJECT DEVELOPMENT.
- B. CERTIFIED RESOLUTION OF EACH GOVERNING BODY APPROVING THE SUBDIVISION OR WAIVING THE RIGHT TO REVIEW.



I HEREBY CERTIFY THAT THIS LAND SURVEYING DOCUMENT WAS PREPARED AND THE RELATED SURVEY WORK WAS PERFORMED BY ME OR UNDER MY DIRECT PERSONAL SUPERINSION AND THAT I AM A DULY, LICENSED PROFESSIONAL LAND SURVEYOR UNDER THE LAWS OF THE STATE OF IOWA.

 JULY 30, 2018

 A. LEISINGER
 DATE

LICENSE NUMBER 14415
MY LICENSE RENEWAL DATE IS DECEMBER 31, 2018
PAGES OR SHEETS COVERED BY THIS SEAL:

SHEET 1 OF 2 SHEET 2 OF 2

FINAL PLAT OF BLACK HILLS SUBDIVISION

A PARCEL OF LAND, BEING A PORTION OF THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER (NW1/4NE1/4) AND A PORTION OF THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER (SW1/4NE1/4) ALL IN SECTION 28, TOWNSHIP 75 NORTH, RANGE 43 WEST OF THE 5TH PRINCIPAL MERIDIAN, CITY OF COUNCIL BLUFFS, POTTAWATTAMIE COUNTY, IOWA.

LEGAL DESCRIPTION:

A PARCEL OF LAND, BEING A PORTION OF THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER (NW1/4NE1/4) AND A PORTION OF THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER (SW1/4NE1/4) ALL IN SECTION 28, TOWNSHIP 75 NORTH, RANGE 43 WEST OF THE 5TH PRINCIPAL MERIDIAN, CITY OF COUNCIL BLUFFS, POTTAWATTAMIE COUNTY, IOWA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTH 1/4 CORNER OF SECTION 28:

THENCE ALONG THE WEST LINE OF SAID NORTHWEST QUARTER OF THE NORTHEAST QUARTER (NW1/4NE1/4), SOUTH 00 DEGREES 54 MINUTES 0B SECONDS WEST, 1015.64 FEET;

THENCE SOUTH 88 DEGREES 50 MINUTES 10 SECONDS EAST, 37.58 FEET TO A POINT ON THE EAST RIGHT-OF-WAY LINE OF COLLEGE ROAD, SAID POINT ALSO BEING THE TRUE POINT OF BEGINNING;

THENCE SOUTH 88 DEGREES 50 MINUTES 10 SECONDS EAST, 858.69 FEET TO A POINT ON THE NORTHWEST RIGHT-OF-WAY LINE OF INTERSTATE 80:

THENCE ALONG SAID NORTHWESTERLY RIGHT-OF-WAY LINE THE FOLLOWING THREE (3) COURSES:

- 1) SOUTH 26 DEGREES 08 MINUTES 59 SECONDS WEST, 351.54 FEET;
- 2) SOUTH 54 DEGREES 47 MINUTES 54 SECONDS WEST, 357.26 FEET;
- 3) SOUTH 50 DEGREES 14 MINUTES 41 SECONDS WEST, 559.84 FEET TO A POINT ON SAID EAST RIGHT-OF-WAY LINE;

THENCE ALONG SAID EAST RIGHT-OF-WAY LINE, NORTH 01 DEGREE 11 MINUTES 51 SECONDS EAST, 897.17 FEET TO THE TRUE POINT OF BEGINNING;

SAID PARCEL CONTAINS AN AREA OF 10.27 ACRES, MORE OR LESS.

DEDICATION:

KNOW ALL PERSONS BY THESE PRESENTS THAT IOWA WESTERN FOUNDATION, BEING THE SOLE OWNER OF THE PROPERTY DESCRIBED WITHIN THE LEGAL DESCRIPTION AND EMBRACED WITHIN THIS PLAT, HAS CAUSED SAID PROPERTY TO BE SUBDIVIDED AS LOT 1. SAID PROPERTY TO BE KNOWN AS BLACK HILLS SUBDIVISION.

IN WITNESS THEREO	F, I DO HEREBY RA	TIFY AND APPROVE OF	THE	DISPOSITION	OF	THE
IOWA WESTERN FOU	NDATION PROPERTY	AS CONTAINED HEREI	N ON	THIS		

	DAT Or
BY:	
TOM WHITSON (PRESIDENT)	
STATE OF IOWA)) SS.
COUNTY OF POTTAWATTAMIE	•

ON THIS DAY OF , 2018, BEFORE ME A NOTARY PUBLIC IN AND FOR THE STATE OF IOWA, PERSONALLY APPEARED TOM WHITSON, TO ME PERSONALLY KNOWN, WHO BEING BY ME DULY SWORN, DID SAY HE IS THE PRESIDENT OF IOWA WESTERN FOUNDATION, THAT NO SEAL HAS BEEN PROCURED BY SAID FOUNDATION, AND THAT SAID INSTRUMENT WAS SIGNED ON BEHALF OF SAID FOUNDATION BY AUTHORITY OF ITS MEMBERS AND THAT SAID TOM WHITSON ACKNOWLEDGED THE EXECUTION OF THE INSTRUMENT TO BE THE VOLUNTARY ACT AND DEED OF SAID FOUNDATION BY IT VOLUNTARILY EXECUTED.

__, 2018.

DTARY	PUBLIC	IN	AND	FOR	SAID	STATE	

MY COMMISSION EXPIRES _____

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S S O C | A T E S | N (
ENGINERING ARCHITECTURE SURVEYING



PROJECT BLACK HILLS SUBDIVISION W1/2 NE1/4, SECTION 28–75–43

CHILLS CORPORATION P.O. BOX 1400, RAPID CITY, SOUTH DAKOTA 57

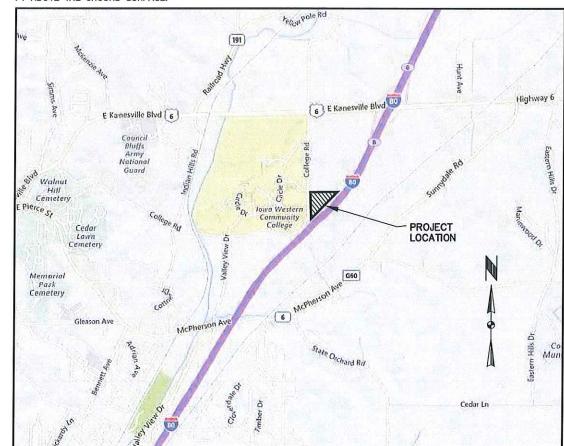
107318 sheet 1 OF 2

DEVELOPMENT PLAN

BLACK HILLS SUBDIVISION, LOT 1

VERTICAL CONTROL

BENCHMARK OF ORIGIN: NGS F134, 1989 NAVD '88 ELEV.=1010.19 IN COUNCIL BLUFFS, AT 0.30 MI EASTERLY ALONG MCPHERSON STREET FROM ITS JUNCTION WITH BENNETT AVENUE, SET VERTICALLY IN THE SOUTHEAST FACE OF THE MOST NORTHERLY ONE OF TWO COLUMNS OF THE 1ST PIER EAST OF THE WEST ABUTMENT OF A ROAD BRIDGE SPANNING THE CHICAGO, ROCK ISLAND AND PACIFIC RAILROAD, 119.1 FT WEST OF THE NEAR RAIL, 9.2 FT NORTH OF THE CENTER OF THE ROAD, 2.0 FT BELOW THE LEVEL OF THE TRACKS, AND 0.7 FT ABOVE THE GROUND SURFACE.



VICINITY MAP - NO SCALE

CURRENT OWNER/DEVELOPER:

IWCC FOUNDATION DR. DAN KINNEY 2700 COLLEGE ROAD COUNCIL BLUFFS, IOWA 51503

ENGINEER:

HGM ASSOCIATED, INC. 640 FIFTH AVENUE COUNCIL BLUFFS, IOWA 51502

ZONING:

INDEX

DESCRIPTION
TITLE SHEET

SITE / DEVELOPMENT PLAN

PAGE NO.

EXISTING ZONING OF THE SITE IS PLANNED COMMERCIAL (P-C).

PROPOSED ZONING OF PROPOSED INDUSTRIAL SUBDIVISION IS PLANNED INDUSTRIAL (P-I).

EXISTING FLOOD PLAIN:

MISSOURI RIVER FLOOD PLAIN FEMA FLOOD ZONE — OTHER AREA NO FLOODWAY OR FRINGE ENCROACHMENT

STORM WATER DETENTION:

CONSTRUCTION OF NEW DETENTION IN ACCORDANCE WITH SUDAS DESIGN STANDARDS.

BOUNDARY SURVEY:

BOUNDARY SURVEY WILL BE PROVIDED BY HGM ASSOCIATES INC.

NOTES:

SURFACE RUNOFF: STORM SEWER TO PROPOSED SUBDIVISION DETENTION.
EASEMENTS: A 5.00 FOOT WIDE PERMANENT EASEMENT ON EACH SIDE OF ALL SIDE LOT LINES, A 10.00 FOOT WIDE PERMANENT EASEMENT ALONG ALL

EASEMENT ON EACH SIDE OF ALL SIDE LOT LINES, A 10.00 FOOT WDE PERMANENT EASEMENT ALONG ALL FRONT LOT LINES, AND A 5.00 FOOT WIDE PERMANENT EASEMENT ALONG ALL REAR LOT LINES, ARE RESERVED FOR THE INSTALLATION AND MAINTENANCE OF UTILITIES.

SPECIFICATIONS

THE URBAN STANDARD SPECIFICATIONS FOR PUBLIC IMPROVEMENTS, 2018, AND CITY OF COUNCIL BLUFFS SUPPLEMENTAL SPECIFICATIONS 2018, SHALL APPLY TO THIS PROJECT.



I hereby certify that this engineering document was prepared by me of under my direct personal supervision and that I am a duly licensed Professional Engineer under the laws of the State of Iowa.

JOHN E. JORGENSEN

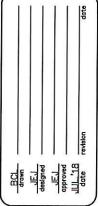
Pages or sheets covered by this seal: A.01, A.02, AND G.01

1, A.02, AND G.01

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> A T E S I N C. COUNCIL BLUFFS, IA 712-323-0530

A S S O C | A T E 640 FIFTH AVENUE COUNC



SUBDIVISION, LOT 1

HILLS

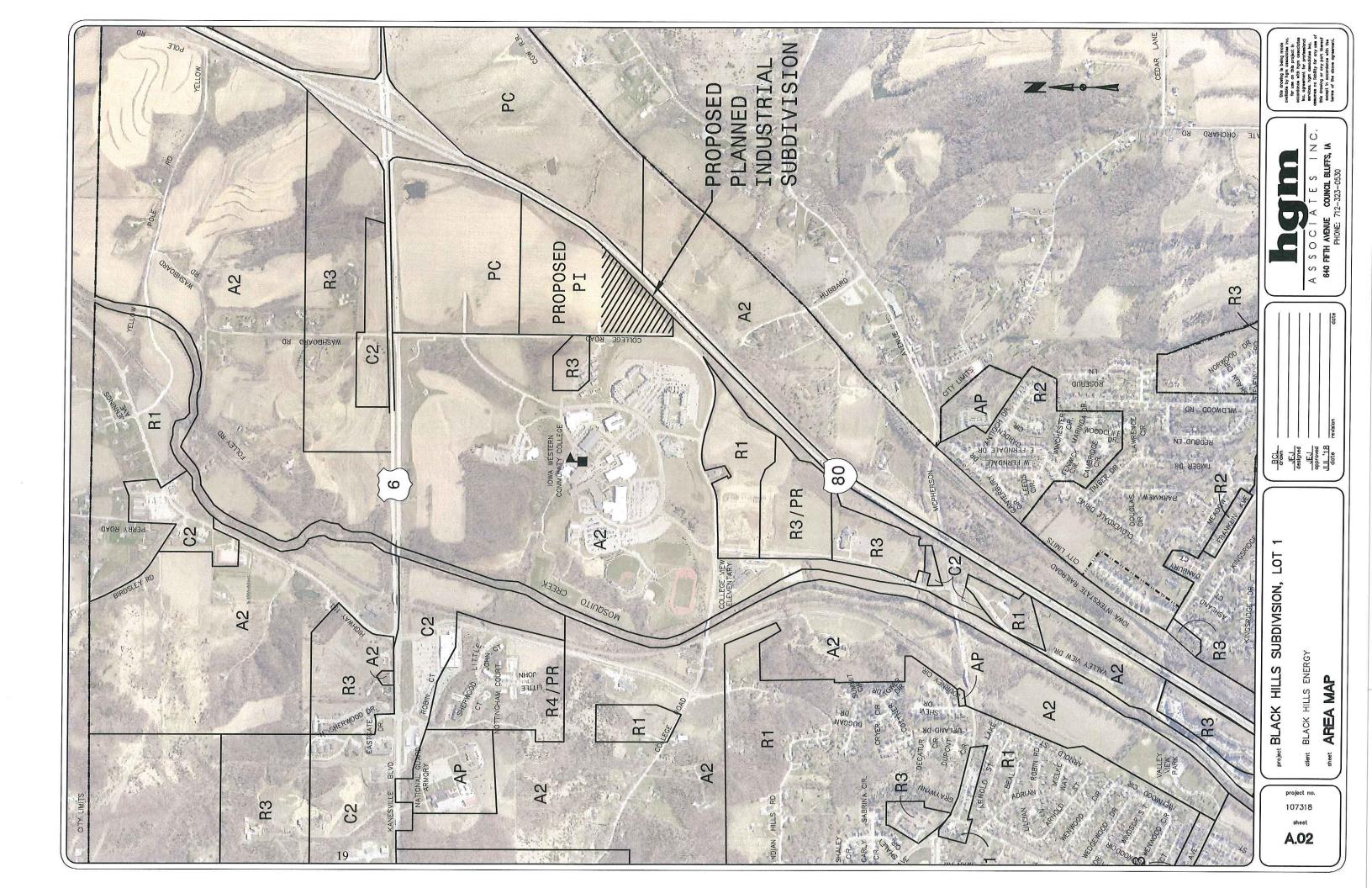
K HILLS ENERGY

BLACK HILLS

project no

107318

A.01



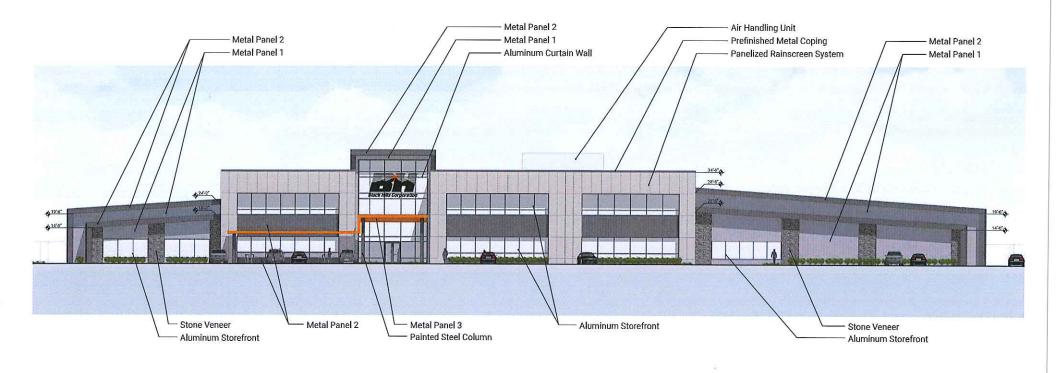
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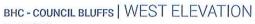
PLAN

G.01

Attachment G

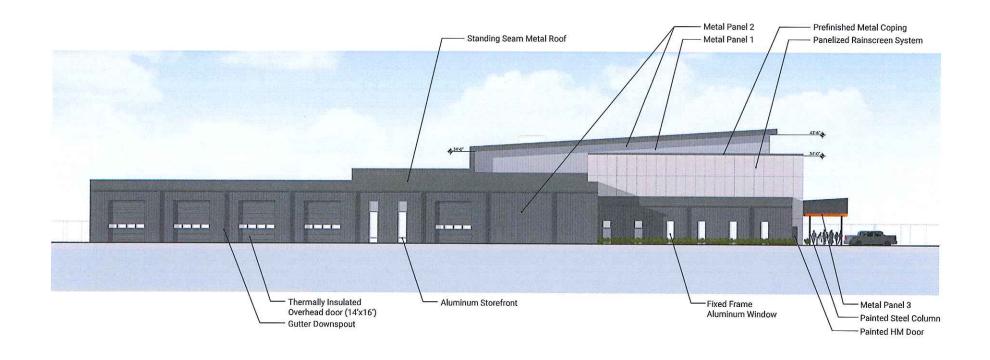


PAGE 12



02 JULY 2018

DLR Gro



BHC - COUNCIL BLUFFS | NORTH ELEVATION

02 JULY 2018

PAGE 13

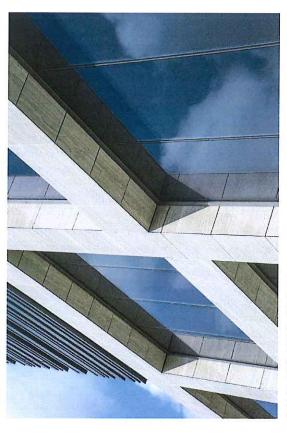




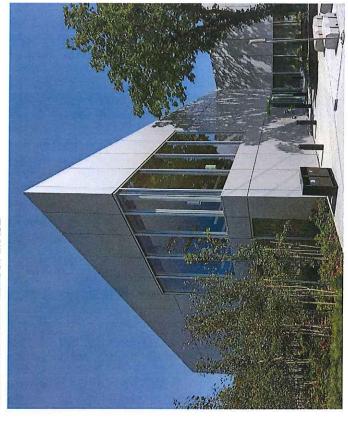
BLACK HILLS CORPORATION - COUCIL BLUFFS OPERATIONS AND TRAINING CENTER

MATERIAL REFERENCE IMAGES

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PANELISED RAINSCREEN SYSTEM -NEOLITH SKYLINE PRODUCT IMAGE



METAL PANEL 3 & PANELISED RAINSCREEN SYSTEM ALTERNATE - ALUCOBOND PANEL PRODUCT IMAGE



METAL PANEL 1 & 2 - METAL BUILDING WALL PANEL



City Planning Commission Communication

Department: Community Development Department		
CASES #SUB-18-012, #ZC-18-010, and #PI-18-001	Resolution No Ordinance No	Planning Commission: 8/14/18
Applicant/Owner: Iowa Western Community College Foundation Attn: Dr. Dan Kinney 2700 College Road Council Bluffs, IA 51503	Resolution No	
Engineer: HGM Associates Inc. Attn: John Jorgenson 640 5 th Avenue Council Bluffs, IA 51501		

Subject/Title

Request: CASES #SUB-18-012, #ZC-18-010, and #PI-18-001 - Combined public hearings on the request of Iowa Western Community College Foundation, represented by John Jorgensen of HGM Associates, for the following:

- 1) Rezone 39.50 acres of land, legally described as being A PARCEL OF LAND BEING A PORTION OF THE NORTHEAST 1/4 OF SECTION 28, TOWNSHIP 75 NORTH, RANGE 43 WEST, CITY OF COUNCIL BLUFFS, POTTAWATTAMIE COUNTY, IOWA, BEING PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTH 1/4 OF SECTION 28; THENCE ALONG THE NORTH LINE OF SAID NORTHEAST OUARTER, SOUTH 87 DEGREES 53 MINUTES 54 SECONDS EAST, 42.81 FEET TO A POINT ON THE EAST RIGHT-OF-WAY LINE OF COLLEGE ROAD, SAID POINT ALSO BEING THE TRUE POINT OF BEGINNING; THENCE CONTINUING ALONG SAID NORTH LINE, SOUTH 87 DEGREES 54 MINUTES 53 SECONDS EAST, 1617.60 FEET TO A POINT ON THE RIGHT-OF-WAY **NORTHWEST** LINE OF INTERSTATE 80; **THENCE ALONG** NORTHWESTERLY RIGHT-OF-WAY LINE THE FOLLOWING EIGHT (8) COURSES: 1) SOUTH 59 DEGREES 11 MINUTES 34 SECONDS WEST, 136.52 FEET; 2) SOUTH 31 DEGREES 37 MINUTES 46 SECONDS WEST, 154.14 FEET; 3) SOUTH 24 DEGREES 18 MINUTES 05 SECONDS WEST, 411.71 FEET; 4) SOUTH 21 DEGREES 57 MINUTES 35 SECONDS WEST, 65.93 FEET; 5) SOUTH 49 DEGREES 23 MINUTES 38 SECONDS WEST, 505.88 FEET; 6) SOUTH 26 DEGREES 08 MINUTES 59 SECONDS WEST, 358.27 FEET; 7) SOUTH 54 DEGREES 47 MINUTES 54 SECONDS WEST, 357.26 FEET; 8) SOUTH 50 DEGREES 14 MINUTES 41 SECONDS WEST, 559.84 FEET TO A POINT ON SAID EAST RIGHT-OF-WAY LINE; THENCE ALONG SAID EAST RIGHT-OF-WAY LINE, NORTH 01 DEGREE 11 MINUTES 51 SECONDS EAST, 1912.10 FEET TO THE TRUE POINT OF BEGINNING; City of Council Bluffs, Pottawattamie County, Iowa, from P-C/Planned Commercial District to P-I/Planned Industrial District; and
- 2) Final plat approval of a one-lot industrial subdivision to be known as Black Hills Subdivision and concurrent adoption of a planned industrial development plan on 10.27 acres of land, legally described as A PARCEL OF LAND, BEING A PORTION OF THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER (NW ¼ NE ¼) AND A PORTION OF THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER (SW ¼ NE ¼) ALL IN SECTION 28, TOWNSHIP 75 NORTH, RANGE 43 WEST OF THE 5TH PRINCIPAL MERIDIAL, CITY OF COUNCIL BLUFFS, POTTAWATTAMIE COUNTY, IOWA,

BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTH 1/4 CORNER OF SECTION 28; THENCE ALONG THE WEST LINE OF SAID NORTHWEST QUARTER OF THE NORTHEAST QUARTER (NW 1/4 NE 1/4) SOUTH 00 DEGREES 54 MINUTES 08 SECONDS WEST 1015.64 FEET; THENCE SOUTH 88 DEGREES 50 MINUTES 10 SECONDS EAST, 37.58 FEET TO A POINT ON THE EAST RIGHT-OF-WAY LINE OF COLLEGE ROAD, SAID POINT ALSO BEING THE TRUE POINT OF BEGINNING; THENCE SOUTH 88 DEGREES 50 MINUTES 10 SECONDS EAST, 858.69 FEET TO A POINT ON THE NORTHWEST RIGHT-OF-WAY LINE OF INTERSTATE 80; THENCE ALONG SAID NORTHWESTERLY RIGHT-OF-WAY LINE THE FOLLOWING THREE (3) COURSES; 1) SOUTH 26 DEGREES 08 MINUTES 59 SECONDS WEST 351.54 FEET; 2) SOUTH 54 DEGREES 47 MINUTES 54 SECONDS WEST, 357.26 FEET; 3) SOUTH 50 DEGREES 14 MINUTES 41 SECONDS WEST, 559.84 FEET TO A POINT ON SAID EAST RIGHT-OF-WAY LINE; THENCE ALONG SAID EAST RIGHT-OF-WAY LINE, NORTH 01 DEGREE 11 MINUTES 51 SECONDS EAST, 897.17 FEET TO THE TRUE POINT OF BEGINNING; City of Council Bluffs, Pottawattamie County, Iowa.

Location: Generally located East of College Road, West of Interstate I-80, and South of East Kanesville Boulevard (U.S. Highway 6)

Background/Discussion

The Community Development Department has received applications from the Iowa Western Community College Foundation, represented by John Jorgenson of HGM Associates Inc., to 1) execute a Final Plat for a one lot minor subdivision to be known as Black Hills Subdivision; 2) to rezone approximately 39.5 acres of land from P-C/Planned Commercial to P-I/Planned Industrial; and 3) to append a planned industrial development plan over the area proposed to be known as Lot 1, Black Hills Subdivision. The applicant has submitted these applications to accommodate an Operations Center and Training Facility for the Black Hills Corporation.

Land Use and Zoning

The subject property is currently undeveloped, and is zoned P-C/Planned Commercial District. Surrounding land uses and zoning districts are as follows:

North: Undeveloped land that is zoned P-C/Planned Commercial

South: Interstate 80, and undeveloped land that is zoned A-2/Parks, Estates and Agricultural District East: Interstate 80, and undeveloped land that is zoned A-2/Parks, Estates and Agricultural District West: The Iowa Western Community College campus which is zoned A-2/Parks, Estates and Agricultural District, and housing associated with Iowa Western Community College which is zoned R-3/Low Density Multifamily Residential.

The future land use plan of the Bluffs Tomorrow 2030 (comprehensive plan) designates the subject property as Office/Industrial.

CASE #SUB-18-012: Minor subdivision final plat approval of a one (1) lot industrial subdivision to be known as Black Hills Subdivision. Access to the subdivision will come from a private drive to the north of the proposed lot that is partially constructed and intersecting at College Road. The subdivision contains one (1) lot that is approximately 10.27 acres in size.

The Letter of Intent (see Attachment B) as submitted by the applicant states that the site will be served by sanitary sewer, water, electric, and gas facilities. The applicant states that a Storm Water Pollution Prevention Plan will be developed in accordance with Iowa DNR requirements, and will incorporate Best Management Practices during construction.

CASE #ZC-18-010: Rezone approximately 39.5 acres of land located in Northeast ¼ of Section 28-75-43 from P-C/Planned Commercial to P-I/Planned Industrial. This rezoning will accommodate the Operation Center and Training Facility that is proposed for the site, as well as allow additional industrial development on the remaining acreage included in this request. Prior to development on the properties that are zoned as P-I/Planned Industrial District, the developer will be required to submit a development plan for review and approval of the Planning Commission and City Council (the development plan for the Black Hills Subdivision is included with this report).

CASE #PI-18-001: Review and approval of a development plan that will cover Lot 1 of the proposed Black Hills Subdivision, which will encompass approximately 10.27 acres of land, and will be home to an Operations Center and Training Facility for the Black Hills Corporation. Per the submitted letter of intent, the Operation Center and Training Facility will be an approximately 75,000 gross square foot mixed occupancy building that will be two stories in height, and will provide office space for roughly 150 employees, along with classrooms and labs for the training of employees in the region. The facility will also include material storage and a garage area for the support of the daily services Black Hills provides, as well as a meter shop which will test, refurbish, and distribute gas meters across all Black Hills service areas.

As a part of this development, the site will also include an outdoor large equipment training area, and simulation training area to be known as "Gas Town". The Gas Town area will feature small, non-habitable buildings that simulate houses, along with roadways and other features that a neighborhood may have (see Attachment H). The Gas Town simulation area is designed to provide training in a controlled environment that would subject trainees to situations that would occur in a community, such as broken gas meters, gas leaks, or replacement of gas utilities. The large equipment training area as well as the roadways in the Gas Town area are proposed to be graveled to allow the areas to be easily reset after training sessions. The proposed parking areas, material storage yard, equipment storage yard, drive aisles, and rear surface lot are all proposed to be hard surface paved in accordance with City of Council Bluffs requirements.

<u>City Departments and Utilities:</u> The appropriate City departments and utilities have reviewed the proposed replat and planned commercial development plan with comments incorporated below.

- The Fire Marshall stated he has no comments regarding any of the cases.
- The Permits and Inspections Division stated they have no comments regarding any of the cases.
- The Public Works Department has the following comments:
 - 1) No comments on the rezoning request.
 - 2) No direct comments on the Planned Industrial Development Plan.
 - 3) The following comments pertain to the Subdivision request:
 - a) Platting- Lot line easement note needs to include standard restrictions notes.
 - b) A sidewalk will need to be installed along the College Road frontage of the property.
 - c) Stormwater Management will be required for both quantity and quality as noted with a PCSM being developed at the time of development.
 - d) Stormwater drainage released through the Iowa Department of Transportation's utilities will require IDOT permitting and approval.
 - e) Utility improvements are noted as stated.
- Council Bluffs Water Works stated a main extension agreement to extent the water main on college road has been signed by the developer.
- MidAmerican Energy stated they have no objections to the proposed plat, and has overhead utilities that will be able to serve the site. The developer will be responsible to install the transformer pad and conduits, and provide MidAmerican Energy electric loads.

The following attachments have been included for your review:

Attachment A: Location and Zoning Map

Attachment B: Letter of Intent

Attachment C: Preliminary Subdivision Plan

Attachment D: Final Subdivision Plan

Attachment E: Rezoning Map

Attachment F: Development Plan Maps

Attachment G: Proposed Building Rendering and Materials

Attachment H: "Gas Town" Example Photos

Comments

<u>Subdivision Final Plat</u>- The Community Development Director has determined that the proposed subdivision qualifies as a minor subdivision, then the minor subdivision shall be exempt from major subdivision requirements and procedures of this title. A final subdivision plat approved by the city council must be recorded at the office of the Pottawattamie County Recorder by the subdivider within ninety (90) days of its approval. If a final subdivision plat is not recorded within this time period, the plat shall be null and void, unless an extension of time has been requested by the subdivider and approved by the Community Development Department Director.

- 1. The proposed subdivision is consistent with the Bluffs Tomorrow: 2030 Plan (comprehensive plan) as well as the purpose and intent of the Council Bluffs Municipal Code (Subdivision & Zoning Ordinances).
- 2. The proposed lot in the P-I/Planned Industrial District must comply with the site development regulations as set forth in the development plan.
- 3. The subdivision is proposed to be accessed by a private road to the North that will be constructed to City of Council Bluffs Public Works Department standards. Lot 1 of the proposed subdivision will have frontage on to College Road. A 50 foot wide ingress/egress easement for access to the subdivision will be recorded as a separate instrument, but referenced on the final plat.
- 4. All lots within the subdivision will be serviced with utilities including: water, sanitary sewer, communications, electricity and natural gas. The applicant must coordinate with all providers to determine construction design. Any cost to relocate and/or remove existing utilities for the construction of this subdivision shall be at the sole expense of the applicant and not the City.
- 5. A water main extension agreement with Council Bluffs Water Works has been signed by the developer.
- 6. The applicant must enter into an agreement with Mid-American Energy in order to extend electrical distribution facilities to the proposed subdivision. The developer will be responsible to install the transformer pad and conduits, and provide MidAmerican Energy electric loads.
- 7. The standard 10 foot and 5 foot utility easements along the front and rear property lines should be stated on the final plat.
- 8. Stormwater drainage released through the Iowa Department of Transportation's utilities will require IDOT permitting and approval.
- 9. Any future subdivision of the land will also require formal subdivision platting.

Rezoning-

- 1. The subject property is currently zoned P-C/Planned Commercial District. Surrounding zoning districts include P-C/Planned Commercial District to the North, A-2/Parks, Estates and Agricultural District to the East, South, and West, and R-3/Low Density Multifamily Residential District to the West.
- 2. The applicant has proposed to rezone the subject property to P-I/Planned Industrial District.
- 3. A development plan will be required prior to the development of any parcels, as per the requirements of the P-I/Planned Industrial District.
- 4. The one lot subdivision to be known as Black Hills Subdivision will house an Operation Center and Training Facility for the Black Hills Corporation. This use is consistent with the principal uses that have been established for the P-I/Planned Industrial District.
- 5. The future land use plan of the Bluffs Tomorrow 2030 (comprehensive plan) designates the subject property as Office/Industrial. The proposed rezoning is consistent with future land use plan.

6. All property owners located within 200 feet of the proposed rezoning area were notified by direct mail. No comments have been received as of the date of this report.

Development Plan-

- 1. The proposed development plan shows a two-story building to be used as offices, classrooms, material storage, garage area, and a gas meter shop to be used by the Black Hills Corporation.
- 2. The exterior site plan shows an employee and guest parking area, a material storage yard, an equipment storage yard, a truck loading/unloading area, a large equipment training area, and an outdoor training area to be known as "Gas Town".
- 3. The site development standards for the lot shall include minimum setbacks of 15 feet in the front yard, 10 feet for an interior side yard, 10 feet for a street side yard, and 10 feet for a year yard. The maximum height of any structure on the property shall be 75 feet, and the lot coverage for all structures shall not exceed 70%. Parking lots shall also have a 5 foot setback from all property lines.
- 4. The structures constructed in the "Gas Town" area shall be considered non-habitable accessory structures used for training purposes, and shall not be used for storage of equipment or material not used in training exercises. The Large Equipment Training Area shall also be used for training purposes, and shall not be used for storage of equipment or material not used in training exercises.
- 5. Gravel will be permitted in the "Gas Town" area and Large Equipment Training area to allow ease of resetting the site between training exercises. The "Gas Town" Area shall be limited to 22,500 square feet in area, and the Large Equipment Training Area shall be limited to 49,500 square feet in area.
- 6. The subject property has frontage along College Road, though the applicant proposes to access the site from a private road to the North of the subject property. The property will have no direct access on to College Road.
- 7. All lots within the subdivision will be serviced with utilities including: water, sanitary sewer, communications, electricity and natural gas.
- 8. All proposed buildings and developments on the subject property shall be constructed to comply with all applicable fire codes as required by the Council Bluffs Fire Department.
- 9. Sidewalks must be constructed along College Road, as required by the Public Works Department. Sidewalks shall be installed at the time of building construction on the property, and shall be completed prior to the issuance of a certificate of occupancy.
- 10. The parking requirements for the site must be calculated per the standards set forth in Section 15.23.060(04), *Parking spaces required* of the Council Bluffs Municipal Code (Zoning Ordinance).
- 11. The building exterior, as submitted by the applicant (see Attachment G) is made of up glass, stone, and varieties of metal paneling, and is generally acceptable. Design standards shall be as follows:
 - A) The front (West facing) elevation shall have a minimum of 30% Glass, 5% Stone Veneer, 25% as Metal Panel 3 as shown on Attachment G of this report or a precast concrete, and a maximum of 40% corrugated-style metal paneling that is shown as Metal Panel 1 & 2 on Attachment G of this report. Metal Panel 1 and 2 shall be of differing colors, and shall be installed at approximately 75% one color, and 25% a separate contrasting color. Metal Panel 3 shall be considered a separate building material from Metal Panel 1 and 2.
 - B) The North elevation shall incorporate a minimum of 25% Metal Panel 3 or precast concrete (or similar material used on the front façade), glass, or stone veneer.
- 12. Signage requirements shall be designed in compliance with Chapter 15.33 *Signs*, of the Council Bluffs Zoning Ordinance.
- 13. The landscaping of the site shall include the following features.
 - A) Trees shall be planted along the frontage of College Road to the West and the Private Drive to the North.
 - B) Landscaping around the Western and Northern sides of the building (excluding the area in front of the garage bays) shall consist of a four foot wide landscaping bed with grass, shrubs, and other related plants, and shall be designed to limit the use of inorganic planting materials (such as river/landscaping rock).

- C) A berm shall be installed along the westerly boundary of Gas Town area, and large equipment training area where gravel will be utilized. The berm shall be installed to contain the gravel within the specified training areas.
- D) A landscaped buffer utilizing trees, tall hedges, or shrubs shall be planted west of the Gas Town area and Large Equipment Training area along to be used as a buffer between the training areas and College Road.
- E) Fencing along the frontage of College Road and the Private Drive to the North shall be limited to an ornamental iron fence in material, and may not include any barbed wire. Barbed wire will be allowed on the Eastern and Southern sides of the property adjacent to the right-of-way of Interstate 80. Fencing should otherwise be consistent with the standards established in Section 15.24.040 *Fence regulations* of the Zoning Ordinance.
- F) All outdoor storage areas shall be screened from view with a minimum six foot tall privacy fence comprised of wood, vinyl, chain-link with slats, vegetation, or other related material.

Recommendation

The Community Development Department recommends:

- 1. Approval of a one (1) lot subdivision to be known as Black Hills Subdivision, as shown on Attachment C, subject to the comments above and conditions below:
 - a) The names of the owner on the final plat must be corrected to "Iowa Western Community College Foundation" as it states on the deed, from "Iowa Western Foundation". This shall be corrected under the "Owner" section and "Dedication" section of the final plat.
 - b) A final subdivision plat approved by the city council must be recorded at the office of the Pottawattamie County Recorder by the subdivider within ninety (90) days of its approval. If a final subdivision plat is not recorded within this time period, the plat shall be null and void, unless an extension of time has been requested by the subdivider and approved by the Community Development Department Director.
 - c) Stormwater Management will be required for both quantity and quality as noted with a PCSM being developed at the time of development.
 - d) Stormwater drainage released through the Iowa Department of Transportation's utilities will require IDOT permitting and approval.
 - e) With adequate engineering and construction controls, the land is suitable for the proposed development. Construction plans for streets, sanitary sewer and storm drainage shall be submitted to the Public Works Department for review and approval prior to beginning construction. Construction plans and comprehensive plans for grading, drainage and erosion control, including right-of-way during site preparation, utility installation and construction shall be submitted to the Public Works Department for review and approval prior to beginning any earth disturbing activity. All applicable permits necessary to meet local, state and federal requirements shall be the applicant's responsibility.
 - f) An erosion and sediment control along with a grading plan shall be submitted with the construction plans. The erosion and sediment control plan will include temporary and permanent vegetative cover, structural measures, phasing and a maintenance and inspection program to address removal of sediment during construction and following any rainfall.
 - g) All utilities shall be located underground.
 - h) Sidewalks shall be installed along the street frontage of each lot at no expense to the City, prior to issuance of a certificate of occupancy for each building.
- 2. Approval of the request to rezone the subject properties from P-C/Planned Commercial to P-I/Planned Industrial, subject to the following condition.
 - a) A development plan shall be submitted and approved prior to the development of any parcel in the P-I/Planned Industrial District.

- 3. Adoption of the Development Plan for Lot 1, Black Hills Subdivision, for the Black Hills Corporation Operations Center and Training Facility, subject to the following conditions:
 - a) The front (West facing) elevation shall have a minimum of 30% Glass, 5% Stone Veneer, 25% as Metal Panel 3 as shown on Attachment G of this report or a precast concrete, and a maximum of 40% corrugated-style metal paneling that is shown as Metal Panel 1 & 2 on Attachment G of this report. Metal Panel 1 and 2 shall be of differing colors, and shall be installed at approximately 75% one color, and 25% a separate contrasting color. Metal Panel 3 shall be considered a separate building material from Metal Panel 1 and 2.
 - b) The North elevation shall incorporate a minimum of 25% Metal Panel 3 or precast concrete (or similar material used on the front façade), glass, or stone veneer.
 - c) The Site Development Standards for the lot shall include minimum setbacks of 15 feet in the front yard, 10 feet for an interior side yard, 10 feet for a street side yard, and 10 feet for a year yard. The maximum height of any structure on the property shall be 75 feet, and the lot coverage for all structures shall not exceed 70%. Parking lots shall also have a 5 foot setback from all property lines.
 - d) Gravel will be permitted in the "Gas Town" area and Large Equipment Training area to allow ease of resetting the site between training exercises. The "Gas Town" Area shall be limited to 22,500 square feet in area, and the Large Equipment Training Area shall be limited to 49,500 square feet in area. The structures constructed in the "Gas Town" area shall be considered non-habitable accessory structures used for training purposes, and shall not be used for storage of equipment or material not used in training exercises. The Large Equipment Training Area shall also be used for training purposes, and shall not be used for storage of equipment or material not used in training exercises.
 - e) All proposed buildings and developments on the subject property shall be constructed to comply with all applicable fire codes as required by the Council Bluffs Fire Department.
 - f) A berm shall be installed along the Gas Town area, and large equipment training area where gravel will be utilized. The berm shall be installed to contain the gravel within the specified training areas.
 - g) A landscaped buffer utilizing trees, tall hedges, or shrubs shall be planted west of the Gas Town area and Large Equipment Training area along to be used as a buffer between the training areas and College Road.
 - h) Ornamental iron fencing shall be the only allowable fencing allowed along the frontage of College Road and the Private Drive to the North.
 - i) All outdoor storage areas shall be screened from view with a minimum six foot privacy fence comprised of wood, vinyl, chain-link with slats, vegetation, or other related material.

Attachment A: Location and Zoning Map

Attachment B: Letter of Intent

Attachment C: Preliminary Subdivision Plan

Attachment D: Final Subdivision Plan

Attachment E: Rezoning Map

Attachment F: Development Plan Maps

Attachment G: Proposed Building Rendering and Materials

Attachment H: "Gas Town" Example Photos

Prepared by: Chris Meeks, Planner

Planning Commission Communication

Department: Community

Development

Case/Project No.: SUB-18-010 and SUB-18-010 and PC-18-001 Council Action: 8/14/2018

PC-18-001

Submitted by: Christopher Gibbons, Planning Coordinator

Description

Combined public hearing on the request of Legacy CB, LLC for final plat approval of six-lot commercial subdivision to be known as The Marketplace, Replat 3, legally described as being a replat of Lots 1 and 2, The Marketplace Replat 2, and to amend the adopted planned commercial development plan for the Marketplace Subdivision.

Location: Southeast corner of Interstate 80/29 and South 24th Street.

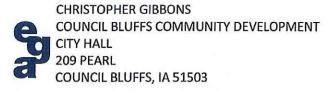
Background/Discussion

See attachments.

Recommendation

ATTACHMENTS:

Description	Type	Upload Date
SUB-18-010 and PC-18-001 Attach A	Other	8/10/2018
SUB-18-010 and PC-18-001 Attach B	Other	8/10/2018
SUB-18-010 and PC-18-001 Attach C	Other	8/10/2018
SUB-18-010 and PC-18-001 Case Map	Map	8/10/2018
SUB-18-010 and PC-18-001 Staff Report	Other	8/10/2018



Re: The Marketplace on South 24th Street

July 18, 2018

Honorable Mayor, City Council Members, Planning Commission Members and Director and Planners of Community Development,

During the last several years the commercial retail environment has been transitioning in regards to space ownership and development investment. Primarily in the medium to small retail box environment. More businesses desire to own their space or several small spaces instead of leasing.

As "The Marketplace" was developed in a time with a different ownership environment, we see the need to adapt as well as possible in order to compete with in today's market. We are proposing to take a segment of the planned adjoining buildings and divide them into separate lots. These lots will contain one to three individual commercial bays. These lots will start roughly 20 feet or more west of the existing structures and extend easterly to the easternmost boundary line of the original development. We will be replatting two very large lots into six lots. Five lots will be "marketable" retail lots. The sixth, will hold a majority of the circulation, parking and drainage for the entire campus.

The general layout and concept remains, for the most part, unchanged. However, we need to define smaller lots around several of the existing attached small box units to accommodate this new ownership environment. To accomplish this, we need to make several structural and textual agreement changes.

The physical changes are: we must construct additional interior walls and address openings between units we wish to place property lines between. The current building and fire codes specify certain conditions and ratings that the walls, as constructed, do not meet when it comes to division by property lines. The construction plans to remedy this have been submitted, and as of the writing of this letter, nearly through the review/approval process. We have a contractor ready to start the renovations.

The textual changes are to the R.E.I. between existing and future owners within the development. Other changes are to the agreement initially drafted with the City of Council Bluffs in 2006 and passed as Resolution 07-27. A majority of those items and subitems within the resolution will not be amended. Those items being amended will only be changed to affect these specific new lots, and not the rest of the properties comprising the balance of the campus. The new lots needing these amendments are in a proposed subdivision replat. They are lots 1 through 5, inclusive of The Marketplace Replat 3. There is a sixth lot in this replat, however, it contains only circulation, parking and drainage, and no areas reserved for building construction.

Below is a detailed explanation of the amendments we are requesting. Again, other than these few items, the new configuration of this portion of the campus is subject to all other previous agreement language, including access, parking and signage, relevant to only this campus "The Marketplace".

In Resolution 07-27, amendments to:

Section 2, Item "G" – 10% of each lot must be landscaped. As constructed, proposed lots 1, 2, 4 and 6 meet this requirement. New construction on lot 3 will adhere to this requirement. However, Lot 5 as proposed around existing construction does not meet this requirement. It will contain approximately 4.5%. Campus-wise, there is no change. Only that a small landscaped area is being confined within proposed Lot 5.

Section 2, Item "I" – 6 feet deep (wide) landscaped area adjacent to all buildings. In these proposed lots, there are existing landscaped areas. These areas are not adjoining the existing buildings but are along the curb line near the front of each lot and structure. The only deviation from the verbiage in the original Resolution is that new construction will mimic the existing pattern of construction for the landscaped areas. The existing landscaped areas are within the confines of the proposed lots.

Section 4, Item "A" – Setbacks. The current front setback or 20 feet and the rear setback of 15 feet, will remain unchanged. The side setbacks for these proposed 5 lots will be changed to allow for 0 (zero distance) feet, or adjoining buildings.

Section 4, Item "H" – Structure Coverage. The original building-to-lot coverage was limited to 40% of the lot area. The coverage we are requesting for the proposed lots 1 through 5, with and without existing structures, is 50%. This does not reflect a change in the coverage for the campus as-a-whole, only how we have defined the proposed lot lines.

Section 5, Item "B" – Shared Parking & Driveways. The original platting established ingress/egress easements throughout the development for proper campus circulation. The cross-parking agreements are handled within the current, and soon to be amended R.E.I. No changes to the circulation or parking conditions are proposed.

Thank you for your time and the consideration of this request.

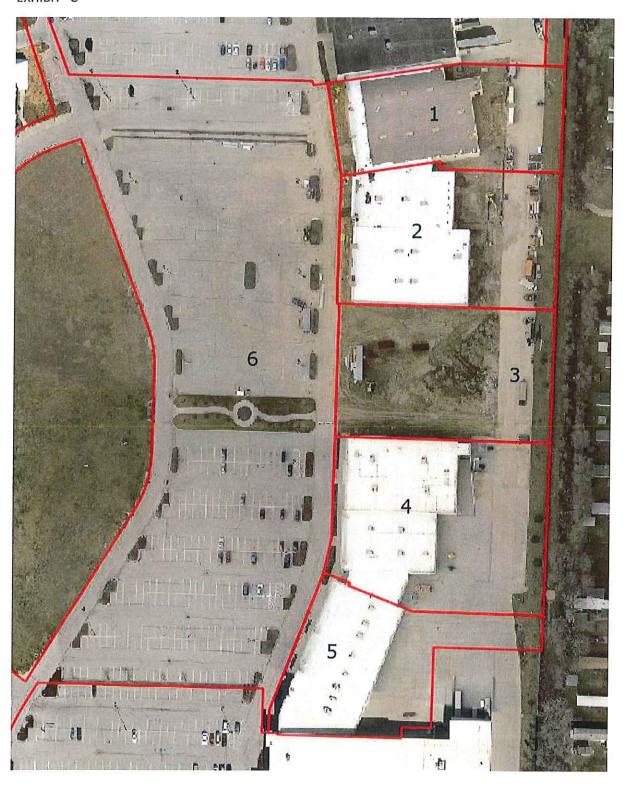
Bill White, Ehrhart Griffin & Associates

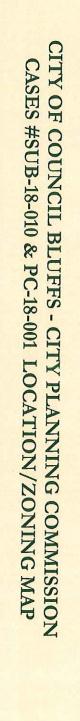
For: Legacy CB LLC Heather Trower, CCIM Chief Development Officer Legacy Development

7 5 Sq.Ft.

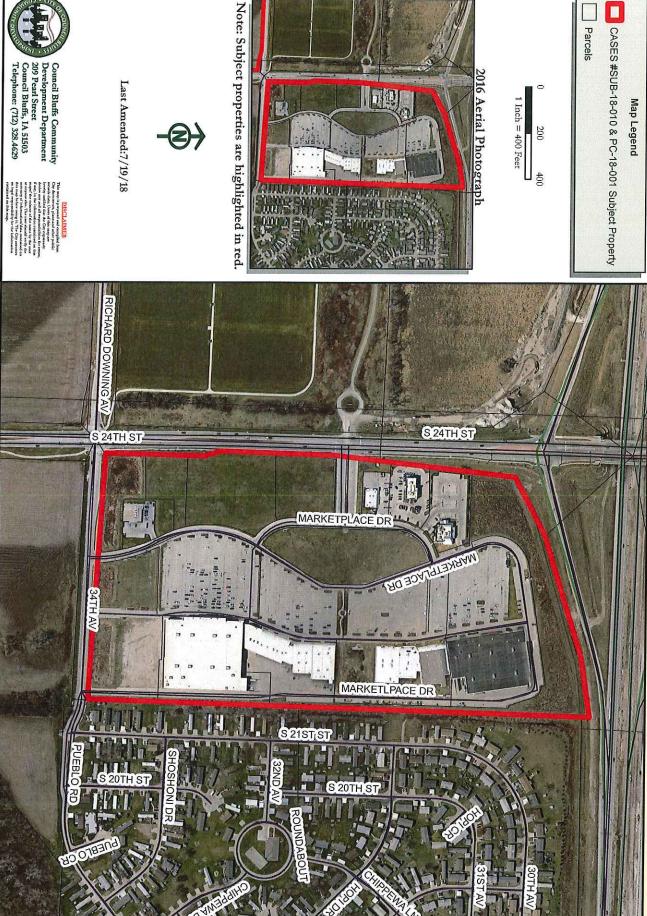
EXHIBIT "B"





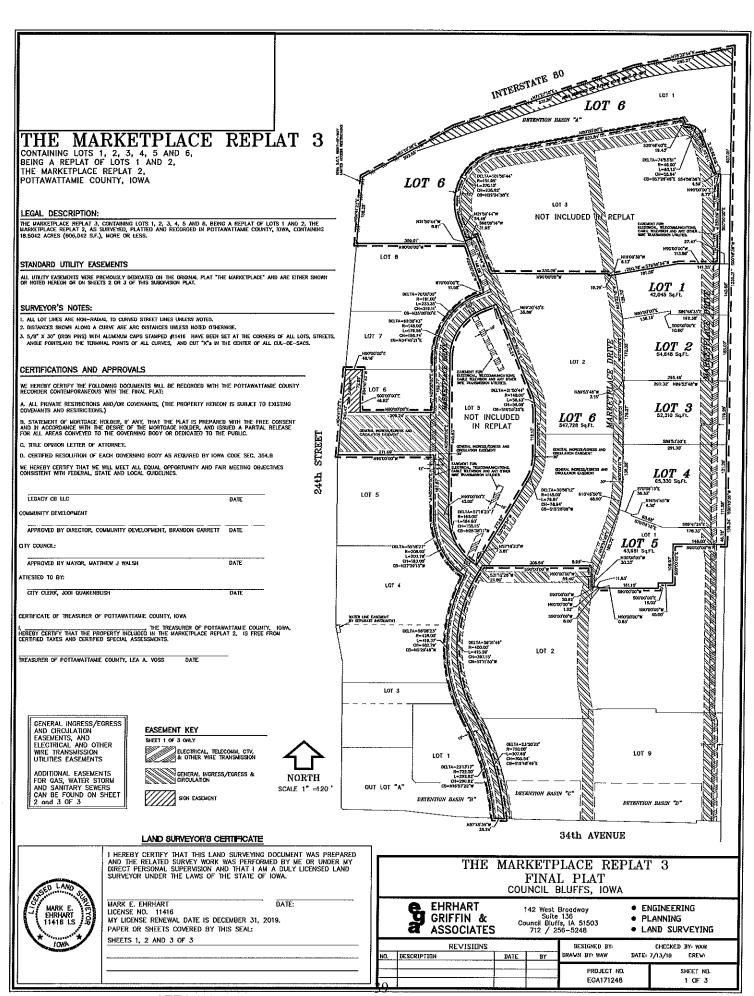




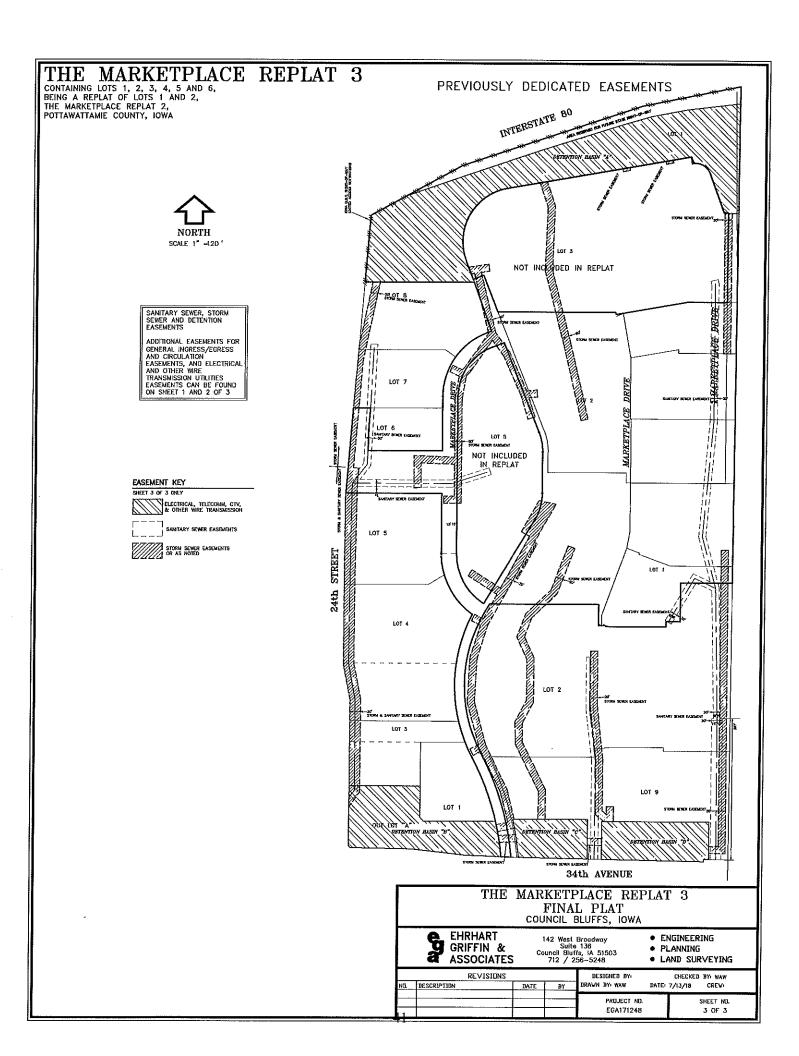


Council Bluffs Community
Development Department
209 Pearl Street
Council Bluffs, IA 51503 Telephone: (712) 328.4629

Last Amended:7/19/18



THE MARKETPLACE REPLAT	3							
CONTAINING LOTS 1, 2, 3, 4, 5 AND 6, BEING A REPLAT OF LOTS 1 AND 2,		PI	REVIOUSLY	DEDI	CATE	D EASEMEN	ITS	
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RESOLUTION NO. 07-27

A RESOLUTION to approve the Planned Commercial Development Plan for The Marketplace – Council Bluffs.

WHEREAS, Magnum Development Corporation is requesting adoption of a planned commercial development plan for 49 acres located along the east side of South 24th Street between I-80 right-of-way and 34th Avenue; and

WHEREAS, Magnum Development Corporation has a contract to purchase this property with the intent to build approximately 389,731 square feet of retail space; and

WHEREAS, the subject property is zoned Planned Commercial and is within the RO/Recreation-Tourism Overlay District. The current zoning is consistent with the proposed development; and

WHEREAS, the appropriate City departments and utilities have reviewed the plan; and

WHEREAS, the Community Development Department recommends approval of the Planned Commercial Development Plan for The Marketplace – Council Bluffs, subject to the following:

1. Adoption of the general principles in the Tenant Criteria Handbook, revised 9-07-06, except as modified by City action in conjunction with the subdivision plan, commercial development plan, development agreement or other pertinent document.

2. Approval of the concept landscape plan, as submitted, with the following additions and modifications:

A. During construction and prior to installation of the landscaping, weeds shall be controlled consistent with both City and State requirements.

B. A specific landscaping plan shall be part of every building permit application. The plan shall include the irrigation system and planting schedule, the species list with number and location of all plant material within a dimensioned site plan. The plan will be reviewed for consistency with the concept plan. Landscaping shall be installed prior to issuance of a Certificate of Occupancy for the lot.

C. Not more than 10% of the landscaped area in each lot in the subdivision shall be of inorganic material, brick, stone, aggregate, metal or artificial turf. Organic mulch may be used around trees and shrubs.

D. Landscaping shall not interfere with the vision of any motorized vehicle at any intersection or pedestrian way.

E. Additional trees and shrubs are required in the Lot 1 parking area. Landscaping shall be incorporated into the modifications needed for better pedestrian connections throughout the shopping area, to create views and minimize traffic conflicts.

F. All trees shall be at least 2" diameter or greater when planted. A medium height/size tree shall be planted on both sides of private streets within the development, forty feet on center. A medium height/size tree shall be planted along the north and south side of Richard Downing Avenue thirty feet on center. These requirements are in addition to the landscaping shown on the development plan.

G. Not less than 10% of the total lot area shall be landscaped with trees, shrubs and other plant material. All parking lot islands included in the site shall be planted with trees and vegetation.

H. A minimum of one tree shall be planted on each lot for every 10 parking spaces located on the lot.

I. A strip of landscaping averaging at least six feet in depth shall be located adjacent to all buildings with the exception of the entrance areas.

 J. All landscaping areas, including grasses and sodded areas, shall be irrigated.

N-Page: 2007-011220
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ATTACHMENT C

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- K. Existing landscaping and tree plantings along South 24th Street shall be maintained and extended consistent with the adopted plan.
- 3. Signage. The developer included signage design criteria in the "Tenant Criteria Handbook". Attached signage is categorized by building size and function as noted above. Specific signage limits are defined below.
 - A. Signage, except for addressing and service entrance information will not be allowed on the east side of the in-line strip.
 - B. Anchor tenant Attached building above entrances 72" max height, maximum of 10% of the front facade. Detached signage is not permitted.
 - C. Major tenant Attached building above entrances 60" max height, not to exceed 10% of the front building facade. Detached signage is not permitted.
 - D. Prior to making application for final plat approval, the final landscape plan must be submitted to the Planning Commission and City Council for consideration as an amendment to the initial development plan.
 - E. Pad Site tenant (lots 4 through 10) Attached building above entrance, rear or side facade 36" maximum height not to exceed 10% of the street facade with a maximum of one sign per facade, not to exceed three signs. Maximum sign area shall not exceed one and one-half time the street frontage of each lot. Marquee signs are not allowed. Detached signage shall be limited to one monument sign per lot with a maximum height of 10 feet. The entire monument shall be counted as signage as measured from the existing finish grade to the top of the monument and from one side of the monument structure to the other with a maximum area on each side not to exceed 100 square feet per face.
 - F. Small shop (Lifestyle) tenant Attached Placed on sign band above entrance, rear or side façade (if an end cap) on building, 36" maximum height not to exceed 15% of the building facade. Blade signs one per storefront, in lieu of a wall sign, seven sf maximum with 6' tall letters. Detached signs "Life Style" Retail Center one multi-tenant (double faced permitted), not to exceed 10 feet in height or 100 square feet per face.
 - G. On-site directional signage shall not exceed six feet as measured from the natural grade with a maximum of 4 square feet per sign face, not to exceed a total of eight square feet per sign.
 - H. One center sign shall be allowed. Height, size and location will be determined upon review and approval of an amendment to the signage plan. Additional amendment to the signage plan may also be necessary for the detached signage at the "Lifestyle" retail space to make effective use of signage to direct visitors to the area they wish to visit and to assure compatibility with the entire site.
- 4. Site Development.
 - A. Minimum setback requirements for all structures shall be: Front 20 feet, rear 15 feet, interior side 10 feet, and street side 15 feet.
 - B. South 24th Street shall be the front yard of Lots 3 through 10.
 - C. The maximum height of any building, structure or decorative feature shall not exceed 45 feet or three stories.
 - D. All trash receptacles shall be enclosed on three sides and screened from view with materials similar to those of the primary building. The enclosures shall have a lockable gate which, when closed completely, eliminates any view of the dumpster.
 - E. All loading areas shall be screened from public view including all rights-of-way by a combination of architectural treatments and/or landscaping which after three years shall significantly screen the loading area from view.
 - F. Building exteriors shall be made of 100% masonry materials such as brick, split faced block or concrete masonry units (with texture) or stucco type material. Metal shall only be allowed as an architectural accent. Twenty percent (20%) of the buildings front facade or other street

91-2

facing facade shall be made of brick. No flat faced concrete block shall be allowed except for the rear wall of the building when it is not visible from a public or private space or right-of-way. Wood or wood-appearing siding may be an acceptable exterior material only for buildings less than 10,000 square feet (based on floor area). Vinyl siding is not allowed.

- Awnings or other decorative features may be allowed on the façade of a building and must be at least nine feet above the pedestrian walkways and may not project over drive aisles or parking areas.
- No more than 40% of any lot shall be covered with structures. Outside storage is not allowed. This includes the temporary and/or permanent placement of inter-modal storage containers.
- Access to the rear of each building for fire department equipment shall be provided in accordance with the requirements of the Fire Marshall's office.
- Parking. 5.
 - The minimum number of parking spaces shall be determined by Chapter 15.23 Off-Street Parking, Loading and Unloading. In cases where several uses occupy a structure or parcel of land, the total requirement for off-street parking shall be the sum of the requirement of the different uses.
 - The developer shall be responsible to develop cross access and ingress/egress easements to be recorded with the final plat to accommodate shared parking and driveways.
 - Each request for a building permit will include a parking lot plan C. showing the number, location, and dimension of all drive aisles and spaces, pedestrian ways, islands, landscaped areas, loading areas, and lighting.
 - D. All parking areas will be paved and curbed.
 - E. All parking areas shall comply with ADA requirements.
- 6. Lighting.
 - All exterior lighting on private roadways and parking lots within the development shall be of a consistent type, finish and design of painted or finished aluminum or steel. Wood poles shall not be allowed. The maximum height shall not exceed 40 feet.
 - Streetlight type and location within the public right-of-way shall be as determined by the Public Works Department.

WHEREAS, the Planning Commission concurs with the Community Development Department recommendation.

> NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF COUNCIL BLUFFS, IOWA:

That the Planned Commercial Development Plan for The Marketplace - Council Bluffs is hereby approved, subject to the conditions set forth above.

ADOPTED

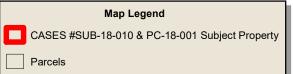
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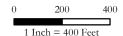
Mayor

Attest:

Planning Case No. PC-06-005

CITY OF COUNCIL BLUFFS - CITY PLANNING COMMISSION CASES #SUB-18-010 & PC-18-001 LOCATION/ZONING MAP





2016 Aerial Photograph



Note: Subject properties are highlighted in red.



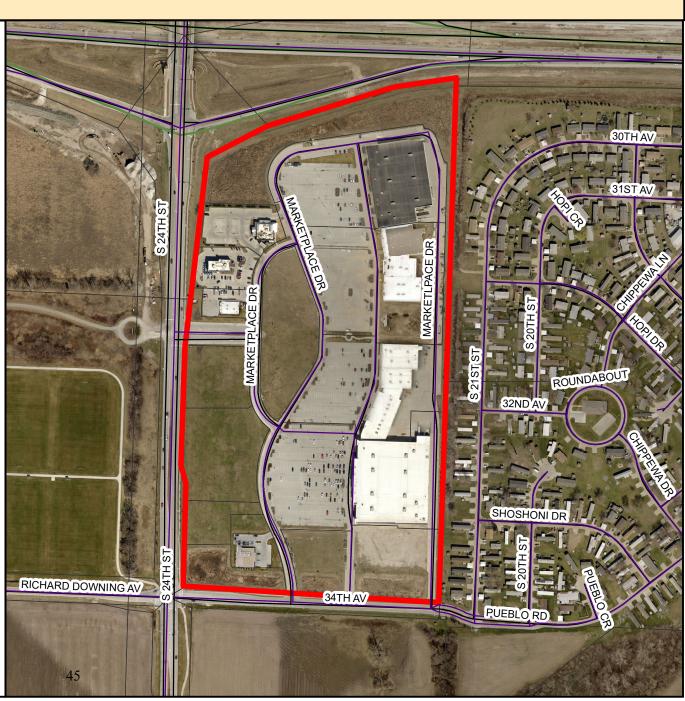
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DISCLAIMER

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This map is perpared and complel from City documents, plans and other public records data. Users of this map are hereby notified that the City expressely denies any and alterponsibilities for errors, if any, in the information contained on this map of the misses of the same by the user or anyone cite. The user should verify the executacy of information/data contained on this map before using it. The City assumes no legal responsibility for the information



City Planning Commission

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Department:		
Community Development	Resolution No.	Planning Commission Meeting:
		August 14, 2018
Cases No. SUB-18-010 and PC-18-001		
	Resolution No.	
Applicant:		
Legacy CB, LLC		
4717 Central Street		
Kansas City, MO 64112		
Surveyor:		
Ehrhart Griffin & Associates		
c/o Bill White		
142 West Broadway, Suite 136		
Council Bluffs, IA 51503		

Subject/Title

Request: Combined public hearing on the request of Legacy CB, LLC for final plat approval of six-lot commercial subdivision to be known as The Marketplace, Replat 3, legally described as being a replat of Lots 1 and 2, The Marketplace Replat 2, and to amend the adopted planned commercial development plan for the Marketplace Subdivision.

Location: Southeast corner of Interstate 80/29 and South 24th Street.

Background/Discussion

The Community Development Department has received the following requests from Legacy CB, LLC, represented by Bill White of Ehrhart Griffin and Associates, relative to The Marketplace Place shopping center located at the southwest corner of Interstate 80/29 and South 24th Street:

- a. Replat Lots 1 and 2, The Marketplace Replat 2 into a six-lot commercial subdivision to be known as The Marketplace, Replat 3.
- b. Amend the adopted planned commercial development plan for The Marketplace Subdivision relative to landscaping, building setbacks, lot coverage, and shared parking/driveways for proposed Lots 1-6, The Marketplace, Replat 3.

CASE #SUB-18-010

The applicant, Legacy CB, LLC, is requesting approval to replat Lots 1 and 2, The Marketplace, Replat 2 into a six-lot commercial subdivision to be known as The Marketplace, Replat 3. Resolution No. 07-195 approved the final plat for The Marketplace on April 23, 2007; Resolution No. 13-255 approved the final plat for The Marketplace, Replat 1 on October 14, 2013; and Resolution No. 16-163 approved the final plat for The Marketplace, Replat 2, on June 27, 2016.

The purpose of the replat is to allow the applicant to address changing market conditions/demands for small to medium size retail spaces (see Attachment A). The applicant proposes to replat the land where the junior tenant spaces are located between the At-Home Store and JcPenny into five commercial lots and one shared parking/stormwater lot (Attachment B). Each lot will contain one to three commercial bays. Proposed Lot 1 will contain the commercial space where VF Outlet is located. Proposed Lot 2

will contain the commercial space where Boot Barn and Party City are located. Proposed Lot 3 is currently undeveloped. Proposed Lot 4 will contain the commercial space where Petco and Shoe Carnival are located. Proposed Lot 5 will contain the commercial space where Jo-Ann Fabrics is located. Proposed Lot 6 will contain existing circulation paths, shared off-street parking, and drainage. The proposed replat does not require extensions or changes to existing utilities or access roadways. Final plats are approved by City Council after a public hearing.

Private roads, which connect to public streets at South 24th Street and 34th Avenue, serve The Marketplace. The approved Marketplace final plat included ingress/egress easements as well as easements for water, utilities and storm and sanitary sewers. Those easements continue with the replat. All lots will be served through those easements.

The proposed replat is consistent with the Bluffs Tomorrow: 2030 Plan and the purpose and intent of the Subdivision and Zoning Ordinances and the Planned Commercial Development Plan adopted with the previous subdivision actions.

CASE #PC-18-001

The Marketplace Subdivision planned commercial development plan was approved by City Council via Resolution No. 07-27 on January 8, 2007 (see Attachment C). Resolution No. 07-191 amended the development plan relative to signage on April 23, 2007. Resolution No. 13-242 amended the development plan relative to signage, and building orientations on September 23, 2013. Resolution No. 17-142 amended the development plan relative to attached wall signage on June 26, 2017.

The applicant, Legacy CB, LLC, is requesting approval to amend The Marketplace Subdivision planned commercial development plan relative to Lots 1 through 6, inclusive of The Marketplace, Replat 3. The purpose of these amendments is to establish design standards for landscaping, building setbacks, and building lot coverage that are compatible and proportional to the new lots being created because of The Marketplace Replat 3. The proposed amendments to Resolution 07-27, are as follows:

- 1) Reducing the percentage of required landscaping from 10% to 4.5% for proposed Lot 5, The Marketplace Replat 3 (Section 2, Item "G")
- 2) Changing of the location of where the required six foot-wide strip of landscaping can be placed on proposed Lots 1 through 5, The Marketplace Replat 3 (Section 2, Item "I")
- 3) Reducing the side yard setbacks from 10 feet to 0 feet for proposed Lots 1 through 5, The Marketplace, Replat 3 (Section 4, Item "A")
- 4) Increasing the lot coverage from 40% to 50% for proposed Lots 1 through 5, The Marketplace Replat 3 (Section 4, Item "H")
- 5) Clarifying that cross access ingress/egress easements were established on The Marketplace Subdivision final plat (Book 2007, Page 011286) to accommodate shared parking and circulation throughout the development.

CURRENT ZONING & LAND USE

The subject property is zoned Planned Commercial, within the RO/Recreation-Tourism Overlay District. The current zoning is consistent with the proposed development. The land to the east is zoned R-1M/Single Family Manufactured Housing District. Bluffs Regency and Bluffs Acres lie within that zoning district. The property located immediately south of the development is zoned I-2/General Industrial District. The land to the west is zoned A-2/Parks, Estates and Agricultural District. The Western Historic Trails Center entrance lies directly to the west.

The future land use plan of the Bluffs Tomorrow: 2030 Plan (comprehensive plan) designates the subject property as Regional Commercial.

CITY DEPARTMENTS AND UTILITIES – The appropriate City departments and utilities have reviewed the proposed replat and planned commercial development plan amendments with comments incorporated below.

<u>Council Bluffs Building Permits and Inspection Division</u> stated the developer is completing the building alterations (firewalls) to address the property line deficiencies during construction. No other comments at this time.

Council Bluffs Public Works stated they have no comments for the replat.

<u>Council Bluffs Fire Department</u> stated they have no comments for the request.

Council Bluffs Community Development Department provided the following comments:

Case #SUB-18-010:

- 1. Label all Marketplace Subdivision names and their associated lots on the final plat (e.g., Lot 2, The Marketplace).
- 2. Label the acreage total for each lot included in The Marketplace, Replat 3.
- 3. All utilities shall be installed underground.

Case #PC-18-001

Section 2 - Landscaping

- a. Section 2, Item "G" states "Not less than 10% of the total lot area shall be landscaped with trees, shrubs and other plant material". As constructed, proposed Lots 1, 2, 4 and 6, The Marketplace, Replat 3 meet this requirement through existing landscaping and buffer areas. New construction on proposed Lot 3, The Marketplace, Replat 3 will comply with the 10% landscaping requirement as part of their site design. However, proposed Lot 5, The Marketplace, Replat 3 will not comply the 10% landscaping requirement due to existing building construction and proposed lot configuration. This lot will contain approximately 4.5% landscaping as opposed to the required 10%. The Community Development Department is not opposed to the reduced landscape percentage for proposed Lot 5, The Marketplace Replat 3 based on hardship reasons state above.
- b. Section 2, Item "I" states "A strip of landscaping averaging at least six feet in depth shall be located adjacent to all buildings with the exception of the entrance areas". The existing landscaping on proposed Lots 1, 2, 4, and 5, The Marketplace, Replat 3 are located along the front property line, at the back of curb, and are not adjacent to existing buildings. Proposed Lot 3, The Marketplace Replat 3 is undeveloped at this time. The applicant has requested to modify the language of this section to allow the existing landscaping on proposed Lots 1, 2, 4, and 5 to remain in their current location and for new construction on proposed Lot 3, The Marketplace Replat 3 to be allowed to install their landscaping along their frontage, as opposed to being adjacent to the building. The Community Development Department is not opposed to the requested change due to the placement of existing landscaping on proposed Lots 1, 2, 4, and 5, The Marketplace Replat 3.

Section 4 – Site Development

c. Section 4, Item "A" states "Minimum setback requirements for all structure shall be: Front 20 feet, rear 15 feet, interior side 10 feet, and street side 15 feet". The current front and rear setback standards will remain unchanged for all lots in The Marketplace, Replat 3. The applicant has proposed a zero side yard setback along the interior lot lines since the existing structures on proposed Lots 1, 2, 4 and 5, The Marketplace Replat 3 are constructed as attached commercial buildings with shared sidewalls. The applicant is in the process of constructing new fire separation walls between buildings that have a shared property line. The Community Development Department is not opposed to the zero side yard setback for proposed Lots 1 through 5, The Marketplace Replat 3 since all buildings in this replat are (or will be) attached to another structure, thus eliminating the need for a side yard setback.

d. Section 4, Item "H" states "Not more than 40% of any lot shall be covered with structures...". The applicant has proposed to increase the lot coverage on proposed Lots 1 through 5, The Marketplace, Replat 3 from 40% to 50%. The purpose of this request is to accommodate the existing building footprints on Lots 1, 2, 4, and 5, The Marketplace, Replat 3 without having to modify the size of the proposed lots and include areas of Lot 6, The Marketplace, Replat 3, which is reserved for shared parking/driveway access. The Community Development Department is not opposed to this request as it will prevent the applicant from having to extend the front property line for proposed Lots 1 through 5, The Marketplace Replat 3 into the shared driveways/parking areas in proposed Lot 6, The Marketplace Replat 3.

Section 5 – Parking

e. Section 5, Item "B" states "The developer shall be responsible to develop cross access and ingress/egress easements to be recorded with the final plat to accommodate shared parking and driveways". The applicant provided clarification that The Marketplace Subdivision platting in 2007 established ingress/egress easements throughout the development for proper campus circulation. Cross-parking agreements are also handled through current, and soon to be amended, R.E.I. according to the applicant. No changes to the circulation or parking conditions are proposed with this replat or amended development plan. The Community Development Department duly noted this clarification statement by applicant and finds that the ingress/egress easements on The Marketplace Subdivision final plat, as recorded in Book 2007, Page 011286, satisfies this requirement. No change to the adopted development plan is needed at this time regarding cross access and ingress/egress easements.

All other standards in the adopted planned commercial development plan for the Marketplace Subdivision, including the amendments adopted by Resolution No. 07-191 on April 23, 2007; Resolution No. 13-242 on September 23, 2013; and Resolution No. 17-142 on June 26, 2017 shall apply to Lots 1 through 6, The Marketplace, Replat 3.

<u>Mid-American Energy Company</u> stated all of their primary conductors, transformers, and primary enclosures for their utilities shall be protected by an easement. The applicant's engineer contacted Mid-American Energy and verified that the proposed easements are sufficient in size and location to protect their existing electrical utilities in the replat.

Recommendation

The Community Development Department recommends the following:

1. Final plat approval of a six-lot commercial subdivision to be known as The Marketplace, Replat 3, legally described as being a replat of Lots 1 and 2, The Marketplace Replat 2, as shown in Attachment 'B', subject to the following conditions:

- a. Prior to executing the final plat, any corrections required by the Community Development Department and/or Public Works Department shall be incorporated into the final plat document.
- b. All utilities shall be installed underground
- c. Final plats must be recorded within 90 days of City Council approval or the plat will become null and void unless an extension has been requested and granted by the Community Development Department Director.
- 2. Approval for the proposed amendments to the adopted planned commercial development plan of The Marketplace Subdivision, relative only to Lots 1 through 6, The Marketplace Replat 3, based on comments and conditions set forth, as follows:
 - a. Approval to reduce the percentage of required landscaping from 10% to 4.5% for proposed Lot 5, The Marketplace Subdivision, Replat 3, as presented;
 - b. Approval to allow the required six foot-wide strip of landscaping to be placed along the front property line, at the back of curb, on proposed Lots 1 through 5, The Marketplace Replat 3, as presented;
 - c. Approval to reduce the side yard setbacks from 10 feet to 0 feet for proposed Lots 1 through 5, The Marketplace Replat 3, as presented;
 - d. Approval to increase the maximum lot coverage from 40% to 50% for proposed Lots 1 through 5, The Marketplace Replat 3, as presented; and
 - e. No action on the clarification statement that cross access and ingress/egress easements were established on proposed Lot 6, The Marketplace Replat 3 with the original Marketplace Subdivision final plat, as recorded in Book 2007, Page 011286.

Attachment A: Letter of intent and associated maps

Attachment B: The Marketplace, Replat 3 final plat

Attachment C: Copy of Resolution No. 07-27, adopted on January 8, 2007

Surveyor: Ehrhart Griffin & Associates – Bill White – 142 W. Broadway, Council Bluffs, IA 51503

Prepared by: Christopher N. Gibbons, AICP, Planning Coordinator

Planning Commission Communication

Department: Community

Development

Case/Project No.: SUB-18-011 and SUB-18-011 and PC-18-002 Council Action: 8/14/2018

PC-18-002

Submitted by: Christopher Gibbons, Planning Coordinator

Description

Combined public hearing on the request of Royce Enterprises, Inc. for preliminary plan approval of a 13-lot commercial subdivision and to adopt a planned commercial development plan for 24 Park Place

Location: Southwest corner of the intersection of South 24th Street and Richard Downing Avenue.

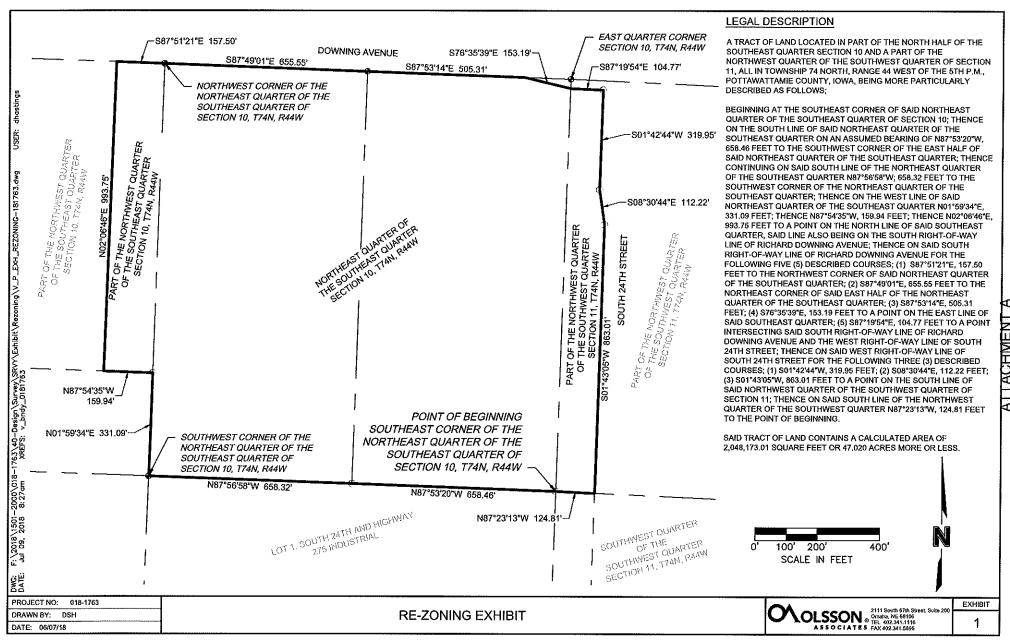
Background/Discussion

See attachments.

Recommendation

ATTACHMENTS:

Description	Type	Upload Date
SUB-18-011 and PC-18-002 Attach A	Other	8/10/2018
SUB-18-011 and PC-18-002 Attach B	Other	8/10/2018
SUB-18-011 and PC-18-002 Attach C	Other	8/10/2018
SUB-18-011 and PC-18-002 Attach D	Other	8/10/2018
SUB-18-011 and PC-18-002 Attach E, F and G	Other	8/10/2018
SUB-18-011 and PC-18-002 Attach H	Other	8/10/2018
SUB-18-011 and PC-18-002 Staff Report	Other	8/10/2018





July 17th, 2018

Attn: Christopher Gibbons
City of Council Bluffs
Community Development Department
209 Pearl Street
Council Bluffs, IA 51503

RE:

24 Park Place

Preliminary Plan/Development Plan - Letter of Intent

Project No. 018-1763

Dear Mr. Gibbons,

Royce Enterprises Incorporated (Developer) has entered into a purchase agreement with the owners of property at the SW corner of S 24th Street and Richard Downing Avenue. The developer intends to develop a commercial subdivision on approximately 47 acres of the corner. The proposed development is to consist of a 185k new to market retail store, approximately 88k of strip retail, and 7 outlots. The site is presently zoned A-2. An application to rezone the property to PC was submitted to the City in June and was approved by the City Planning Commission at the 7/10 meeting.

At this time the developer is planning to phase the development is two phases. Phase 1 will consist of Lot 1 and Outlots A-B. The intent of Phase 1 is to be able to start construction on Lot 1 ahead of the pubic infrastructure being installed. Lot 1 has direct access to Richard Downing Street and does not require direct vehicle access to the proposed internal street network. The developer intents to start Phase 2 of the development once all potential wetland issues in the northeast corner of the site have been mitigated.

Preliminary Plan

Streets and Paving

The street system will connect S 24th Street to Richard Downing Avenue. There is an existing access break at approximately the 1/8 mile in S 24th Street. The main development entrance from S 24th Street will be located at the existing access break. On Richard Downing Avenue there are two proposed right-of-way connections. The furthest west right-of-way connection approximately 600' west of the Richard Downing and S 24th Street intersection is proposed to be a full movement access. An additional right-of-way access point approximately 300' west of the intersection is proposed to be a right-in/right-out.

Interior pavements will be 25 feet in width with integral curbs and sub-drains constructed to the City of Council Bluffs Public Works standards. Sidewalks, 5 foot in width, will line each side of newly constructed public streets. The entrance connected to S 24th Street have a median and turning lanes. The right-in/right-out connection to Richard Downing Avenue will have a 'pork chop' median to limit traffic movements.

The traffic study has identified that Richard Downing Avenue will need to be widened to a 3-lane section. As part of the development a third lane will be added to the south edge of Richard Downing Avenue constructed City of Council Bluffs Public Works Standards. Additionally, a 5' sidewalk will

be constructed along Richard Downing Avenue and S 24th Street ROW's for the extent of the proposed development.

Grading and Drainage

The existing site is essentially flat and sits roughly 4' below the intersection of S 24th Street and Richard Downing Avenue. Fill will be brought in to raise the site to achieve adequate fall for site utilities, i.e. sanitary and storm sewers. The site will be graded to drain to proposed onsite detention basins created in the center and southern sides of the development. Reference the preliminary drainage report for additional information.

Sanitary Sewer

Sanitary sewer to serve the development will be extended to the site from a connection in S 24th Street. Sanitary sewer will be designed to meet City of Council Bluffs Public Works standards and will be constructed in conjunction with the proposed street construction.

Water Service

The Developer will contract with the Council Bluffs Water Works for water service. A water main is proposed through the site to connect existing water mains in S 24th Street and Richard Downing Avenue. The water main extension is intended to provide both fire protection services as well as for private taps to individual private development of the lots in the future.

Electricity

The Developer will contract with MidAmerican Energy Systems for electrical service. Easements will be provided as necessary to extend electrical service to the development.

Natural Gas

The Developer will contract with Black Hills Energy for natural gas service. Easements will be provided as necessary to extend natural gas service to the development.

Communications

The Developer will contract with communication service providers to extend voice, data, and cable service to the development.

Development Plan

Pedestrian Ways

Sidewalks, 5 foot in width, are proposed to line each side of newly constructed public streets. Additionally, a 5' sidewalk will be constructed along Richard Dowing Avenue and S 24th Street right-of-way for the extent of the proposed development.

Each lot is proposed to also have an identified pedestrian way extending from the primary entrance area of each building to the nearest sidewalk located in right-of-way. The pedestrian way may be designed with pavement striping or change in paving material or an approved alternative by the Director of the Community Development Department.

Landscaping

- There shall be a 10-foot landscape strip on each lot adjacent to the City right-of-way. A me
- Not less than 10% of the total lot area shall be landscaped with trees, shrubs and other
 plant material. All parking lot islands included in the site design greater than 20' x 12' shall
 be planted with trees and vegetation. The 10-foot landscape strip adjacent to City right-ofway can be included as part of the 10% lot coverage requirement.
- A minimum of one tree shall be planted on each lot for every 10 parking spaces located on the lot.
- At least 4 sq ft of landscaping per each lineal foot of building frontage shall be installed between the building front and interior drive.

- All landscaped areas including grassed and sodded areas shall be irrigated.
- All parking lots shall have a strip five feet in width planted with grass or landscaped with plant materials along the side and rear property lines, the requirement can be waived if two parking lots adjoin, however the net amount of green space required for each adjoining lot shall be incorporated into other areas of the shared parking lots. The 5 foot strip may be included in the 10% requirement.
- Not more than 10% of the landscaped area shall be of inorganic materials such as brick, stone, metal, or artificial turf. Organic mulch may be used around trees and/or shrubs.

Signage

- On site directional signage shall count toward the overall amount of signage permitted and shall be limited to a maximum height of 6 feet as measured from the natural grade and shall be limited to a maximum of 4 square feet per sign face, not to exceed a total of 8 square feet per sign.
- Signage allowed shall be as indicated below:
 - Lot 1: Shall be allowed 25% of the building façade facing the longest street frontage for attached signage which can be placed at any location on the building. Awnings are allowed as decoration, but no signage shall be allowed on the awning. No pole signs are allowed.
 - Lots 2 and lots 4 through 9: Shall be allowed 20% of the building façade for attached signage which can be placed at any location on the building. Awnings are allowed as decoration, but no signage shall be allowed on the awning. No pole or monument signs are allowed except for food menu boards and C-Store price monument sign.
 - Lot 3: Shall be allowed up to occupy 80% of the overall length of frontage leased.
 No pole signs shall be allowed.

Site Development

- Minimum setbacks requirements for all structures shall be: Exterior development property boundary: 15 feet; Right-of-Way Setback: 10 feet; Interior; 5 feet.
- The maximum height of any building, structure, or decorative feature shall not exceed 50 feet
- All trash receptacles shall be enclosed on three sides and screened from public view with materials similar to those of the primary building. The enclosure shall have a lockable gate which when closed completely eliminates the dumpster.
- All loading areas shall be screened from public view including all right-of-way by a combination of complementary architectural treatments and/or landscaping.
- Building exteriors shall be made of 100% masonry materials such as brick, split faced block (with texture), concrete masonry units (CMU) or EFIS materials. Metal and wood shall only be allowed as an architectural accent. 20% of the building's front façade shall be made of brick. No flat faced concrete block shall be allowed except for the rear wall of a building when it is not visible from a public space or right-of-way. Wood or a wood appearing siding may be an acceptable as a main exterior material only for buildings less than 10,000 square feet (base floor area). Vinyl siding is not allowed.
- Awning or other decorate features may be allowed on the façade of a building and must be at least 8 feet above the traveled pedestrian way and may not project over drive aisles or parking areas.
- All equipment place on roofs shall be screened with architectural features from the public view.
- No more than 40% of any lot shall be covered with structures.
- Access to the rear of each building for Fire Department equipment shall be provided in accordance with he requirements of the Fire Marshal's Office.

Parking

 The minimum number of parking spaces shall be as determined by Chapter 15.23 Off Street Parking, Loading and Unloading. In cases where several uses occupy a structure or parcel of land the total requirement for off street parking shall be the sum of the requirement of the different uses.

 Cross access and ingress/egress easements between lots will be the responsibly of the developer.

Street Lighting

 All lighting on private lots shall be painted or finished aluminum or steel. Wood poles will not be allowed. The maximum height shall not exceed 40 feet.

Please don't hesitate to contact me with any additional questions. My contact information can be found at the bottom of this letter.

Sincerely,

Kellen Heideman, PE

Encl.

CITY OF COUNCIL BLUFFS - CITY PLANNING COMMISSION CASES #SUB-18-011 & PC-18-002



PROPOSED CENTERLINE - PROPOSED EASEMENT LINE PROPOSED PHASING LINE 0

24 PARK PLACE

LOTS 1 THRU 8 AND OUTLOTS A THRU D

A TRACT OF LAND LOCATED IN PART OF THE NORTH HALF OF THE SOUTHEAST QUARTER SECTION 10 AND A PART OF THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 11, ALL IN TOWNSHIP 74 NORTH, RANGE 44 WEST OF THE 5TH P.M., POTTAWATTAMIE COUNTY, IOWA

3. OUTLOTS A THRU D ARE TO SERVE AS RESERVED AREAS FOR REGIONAL DETENTION RICHARD DOWNING AVENUE S87°51'21"E 157.50' -S76°35'39"E 153,19' LOT 7 0.94 AC. LOT 2 1.78 AC. LOT 8 60.00' R.O.W. LOT 6 LOT 1 16.96 AC. LOT 5 OUTLOT B LOT 9 1.57 AC. OUTLOT D LOT 4 1,35 AC. LOT 3 10.14 AC. OUTLOT C OUTLOT A

THERE SHALL BE NO DIRECT VEHICULAR ACCESS TO RICHARD DOWNING AVENUE FROM LOT 2, 8 AND OUTLOT D.

2. THERE SHALL BE NO DIRECT VEHICULAR ACCESS TO S. 24TH STREET FROM OUTLOTS A,

C/O RICHARD J. COENEN 6457 FRANCES STREET, SUITE 100 0MAHA, NE 68106 FRANK R. KREJCI TRUST 1505 N. 203RD STREET ELKHORN, NE 68022

ENGINEER

KELLEN HEIDEMAN OLSSON ASSOCIATES 2111 S. 67TH STREET, SUITE 200 OMAHA, NE 68106

LEGAL DESCRIPTION

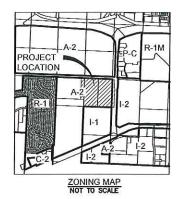
A TRACT OF LAND LOCATED IN PART OF THE NORTH HALF OF THE SOUTHEAST QUARTER SECTION 10 AND A PART OF THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 11, ALL IN TOWNSHIP 74 NORTH, RANGE 44 WEST OF THE 5TH P.M., POTTAWATTAMIE COUNTY, IOWA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

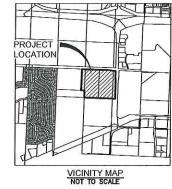
PROPERTY BOUNDARY

EXISTING PROPERTY LINE SECTION LINE

BEGINNING AT THE SOUTHEAST CORNER OF SAID NORTHEAST QUARTER OF THE SOUTHEAST BEGINNING AT THE SOUTHEAST CONNER OF SAID NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 10; THENCE ON THE SOUTH LINE OF SAID NORTHEAST QUARTER OF THE SOUTHEAST QUARTER ON AN ASSUMED BEARING OF N87*53'20"W, 658.46 FEET TO THE SOUTHWEST CORNER OF THE EAST HALF OF SAID NORTHEAST QUARTER OF THE SOUTHEAST QUARTER; CORNER OF THE EAST HALF OF SAID NORTHEAST QUARTER OF THE SOUTHEAST QUARTER, THENCE CONTINUING ON SAID SOUTH LINE OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER. THENCE ON THE WEST LINE OF SAID NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER TO SAID SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER, SAID LINE NO THE SOUTHEAST QUARTER, SAID LINE SOUTHEAST QUARTER. ALSO BEING ON THE SOUTH RIGHT-OF-WAY LINE OF RICHARD DOWNING AVENUE; THENCE ON SAID SOUTH RIGHT-OF-WAY LINE OF RICHARD DOWNING AVENUE FOR THE FOLLOWING FIVE (6) DESCRIBED COURSES; (1) SAP75472°E, 157,50 FEET TO THE NORTHWEST CORNER OF SAID NORTHEAST QUARTER OF THE SOUTHEAST QUARTER; (2) S874991°E, 655,55 FEET TO THE NORTHEAST CORNER OF SAID EAST HAI F OF THE NORTHEAST QUARTER OF THE SOUTHEAST NONTHEAST COMMERCE OF SAID SAST TRUET OF THE NORTHEAST TOWNSTEEN OF THE SOUTHEAST INE OUARTIER; (3) S87*53'14"E, 505.31 FEET; (4) S76*35'39"E, 153,19 FEET TO A POINT ON THE EAST LINE OF SAID SOUTHEAST QUARTER; (5) S87*1954"E, 104.77 FEET TO A POINT INTERSECTING SAID SOUTH RIGHT-OF-WAY LINE OF RICHARD DOWNING AVENUE AND THE WEST RIGHT-OF-WAY LINE OF SOUTH 24TH STREET; THENCE ON SAID WEST RIGHT-OF-WAY LINE OF SOUTH 24TH STREET FOR THE FOLLOWING THREE (3) DESCRIBED COURSES: (1) S01°42′44″W 319.95 FFFT: (2) S08°30′44″F 112.22 FOLLOWING THREE (3) DESCRIBED COURSES; (1) S01°42.44 W, 319.95 FEET; (2) S09°3044 E, 112.22 FEET; (3) S01°4305 W, 863.01 FEET TO A POINT ON THE SOUTH LINE OF SAID NORTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 11; THENCE ON SAID SOUTH LINE OF THE NORTHWEST QUARTER N87°23'13"W, 124.81 FEET TO THE POINT OF BEGINNING.

SAID TRACT OF LAND CONTAINS A CALCULATED AREA OF 2 048 173 01 SQUARE FEET OR 47 020



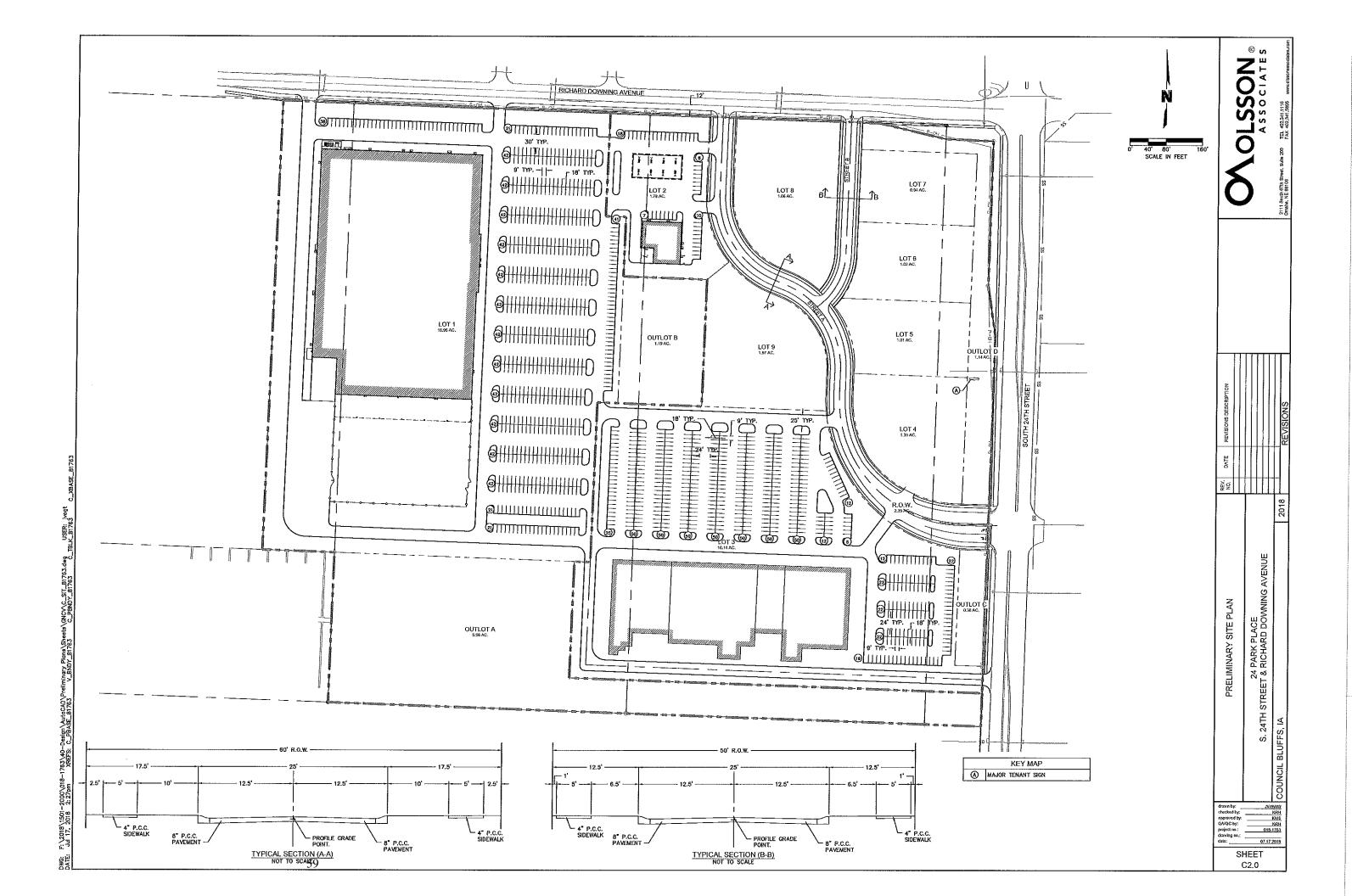


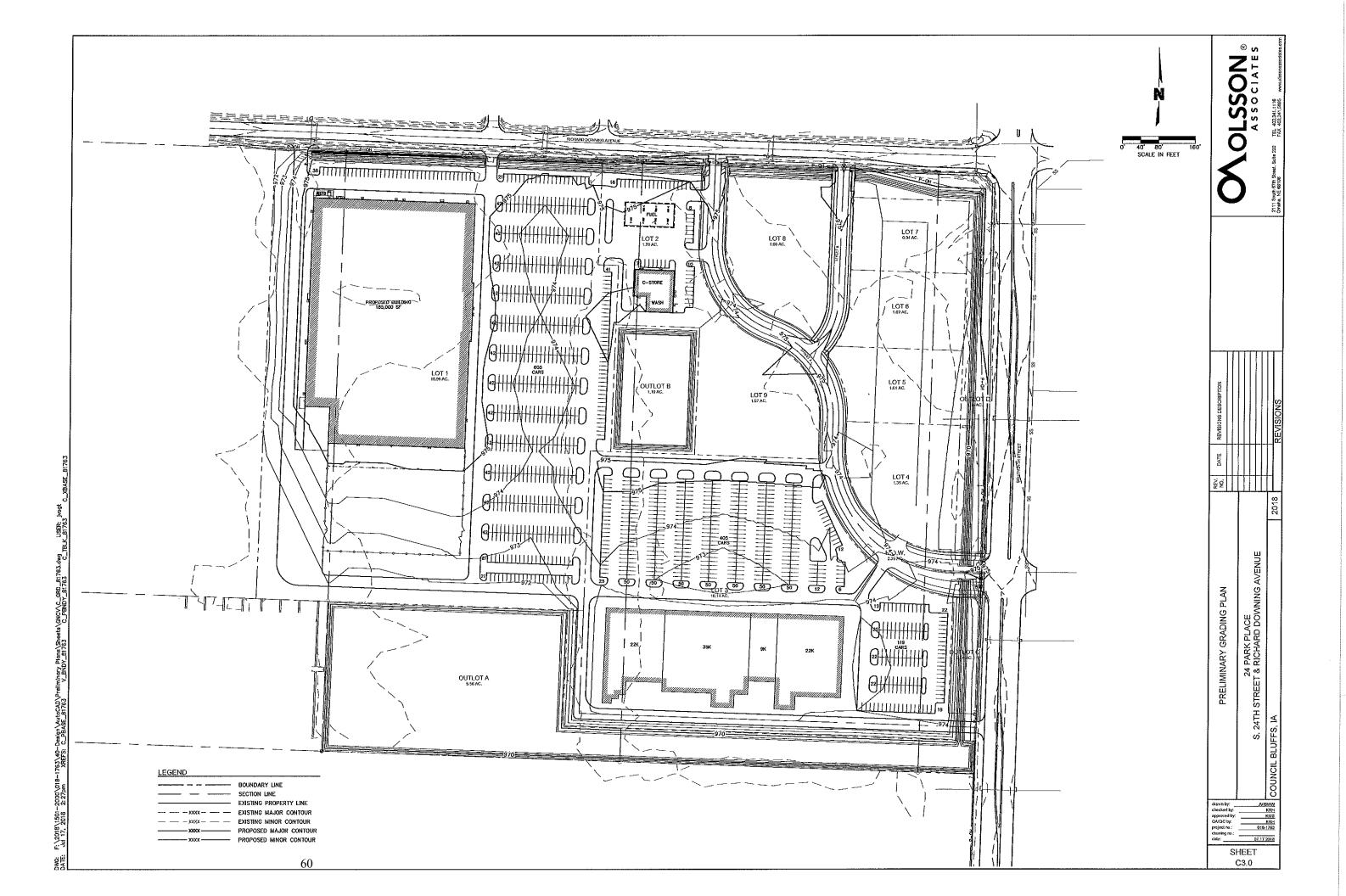


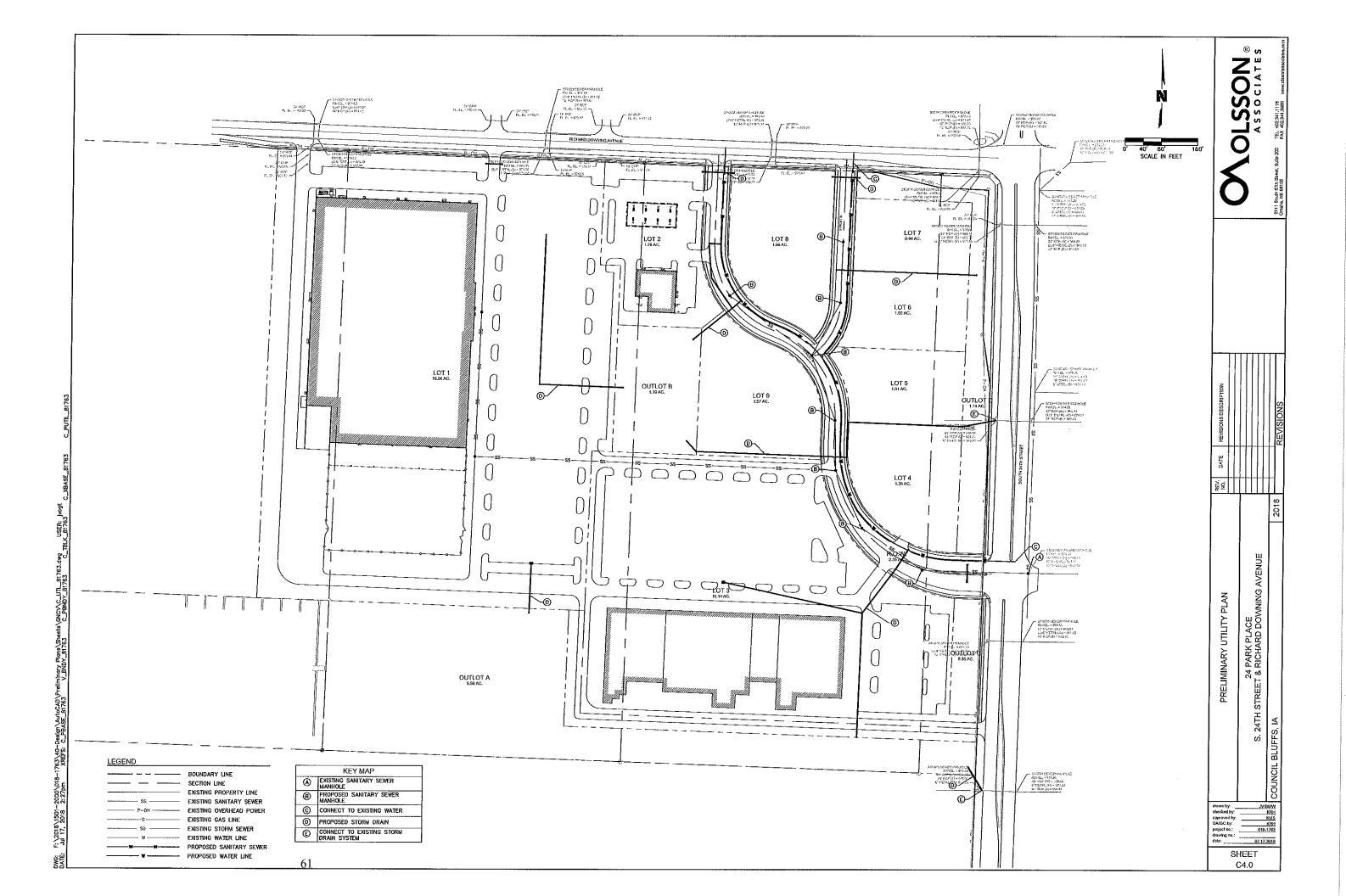
24 PARK PLACE S. 24TH STREET & RICHARD DOWNING AVENUE 018-1763

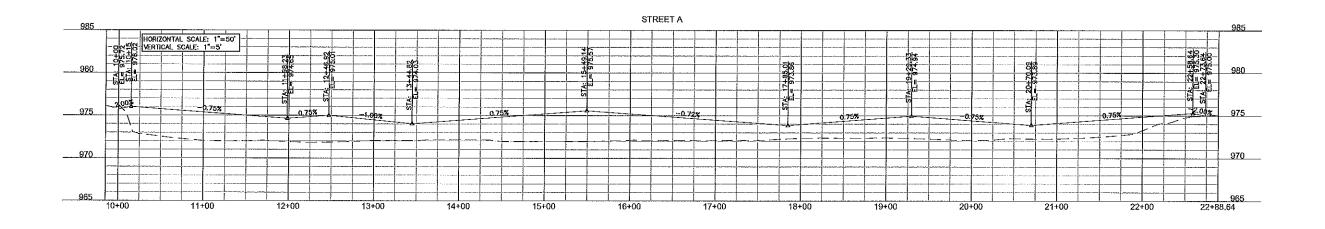
SHEET

ATTACHMENT









MOLSSON & ASSOCIATES

PRELIMINARY CENTERLINE PROFILE

24 PARK PLACE

S. 24TH STREET & RICHARD DOWNING AVENUE

ICIL BLUFFS, IA

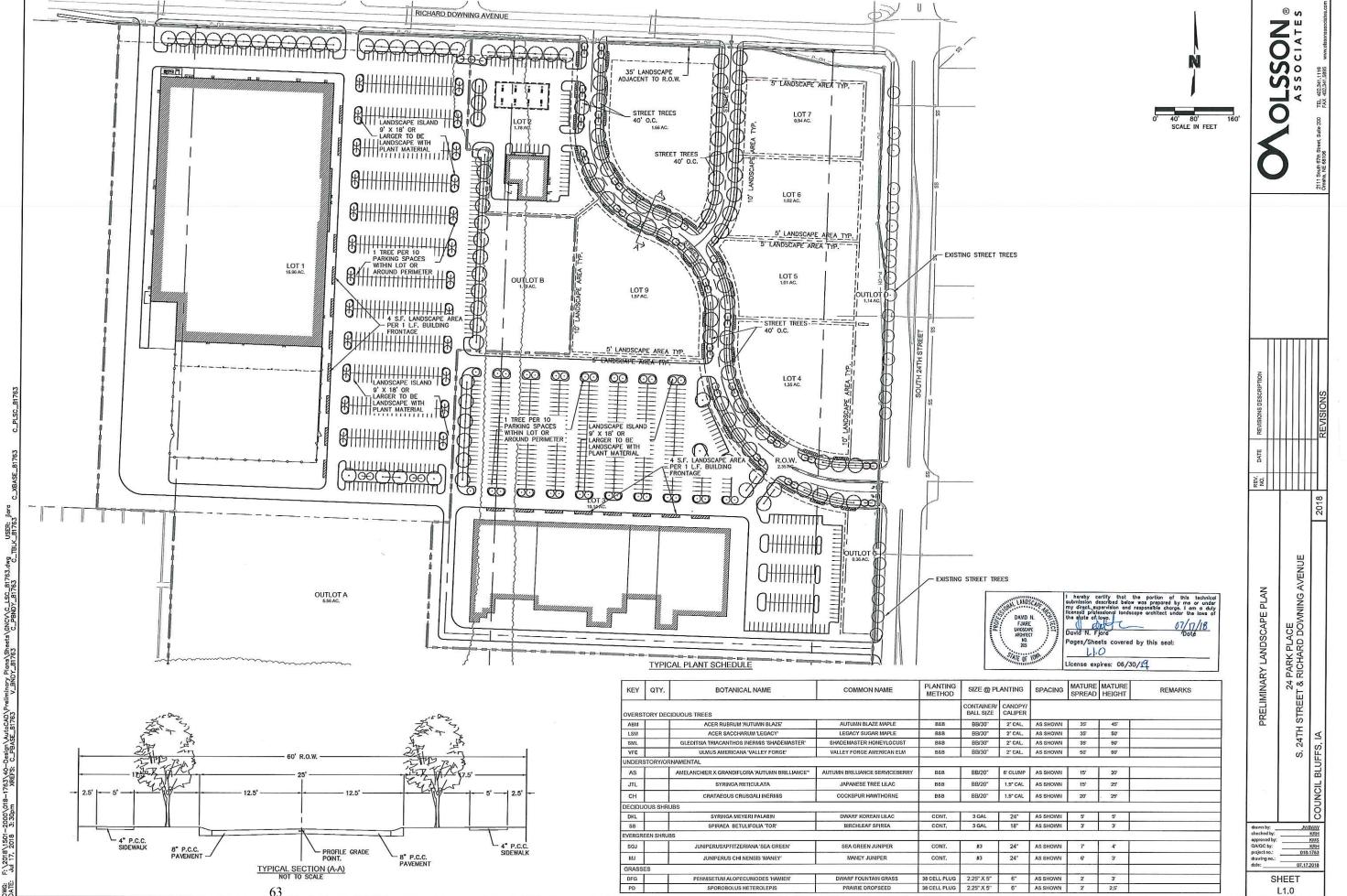
2018

drawn by: checked by: approved by: QAQC by: project co.: drawing no.: date:

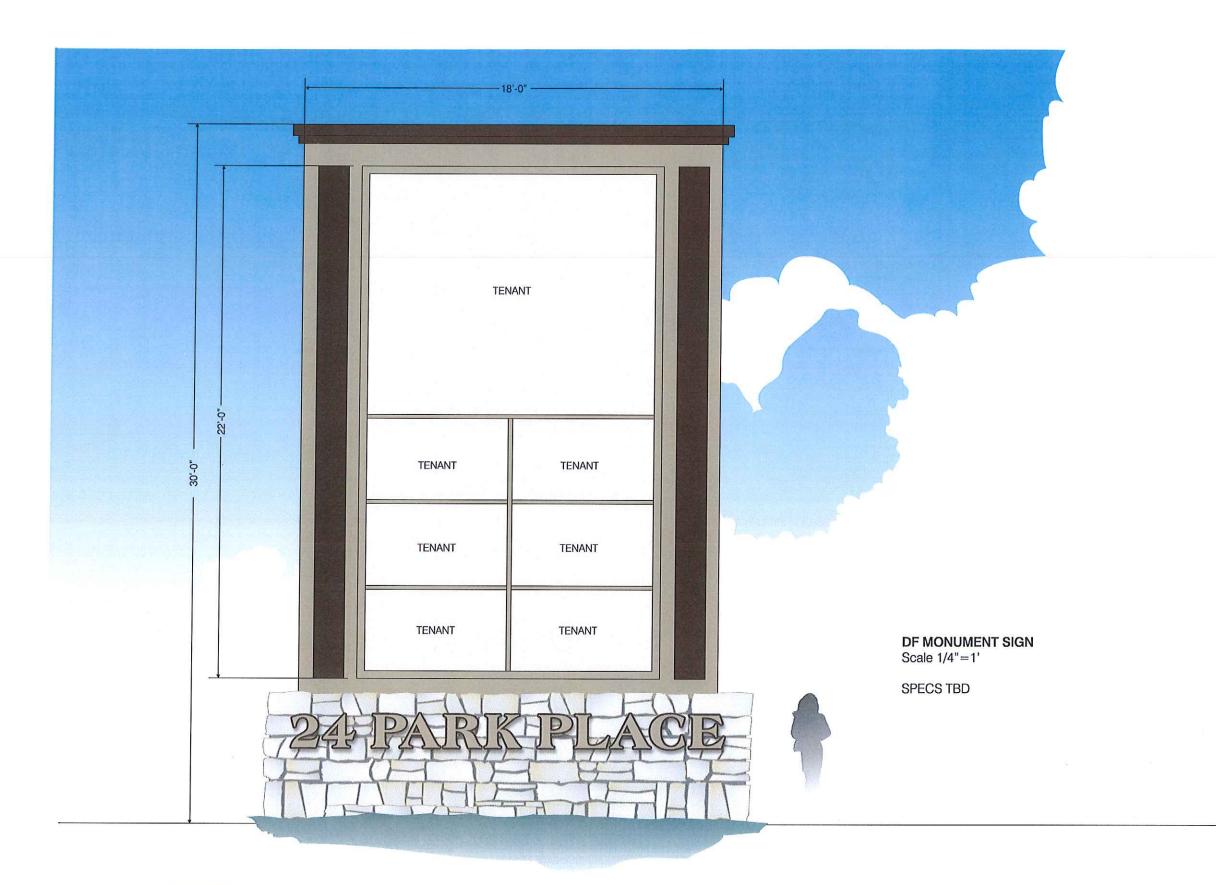
7: JV/8WW/
1by: ISRH
46 by: KRH
60 cy: KRH
60: 018-1763
60: 07.17.2018

SHEET
C5.0

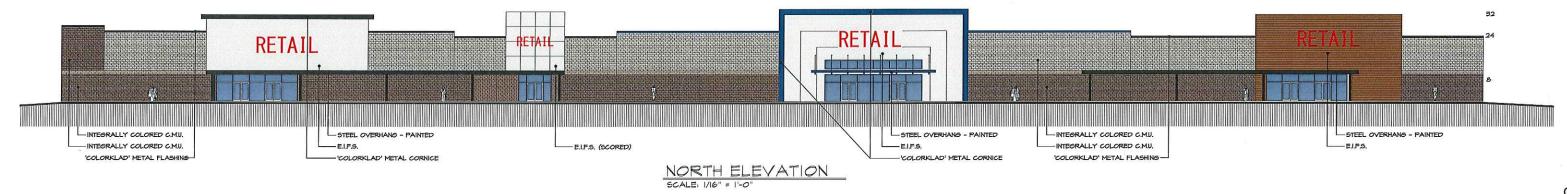
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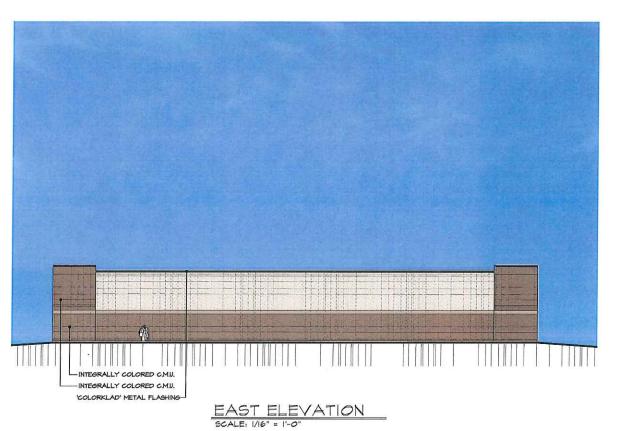


ATTACHMENT E



Clent Lockwood Development Council Bluffs, IA		Rev #	Date 7.12.18 7.17.18	ate Description of Revision	SIGNWORKS		
Contract No	Date 7.17.18 r1	Approved by	Salesperson Gabrielle Ryan	1	7.17.18	update address and add color	
Design No 29412	Sign Type Sign Amos	Approval date	Designer Heidi Claussen			4713 F Street Omaha, NE 68117 402-346-5447 402-346-9250 fax signworksomaha.com A Family Tradition of Quality Signs Since 1935	





COUNCIL BLUFFS DEVELOPMENT

S. 24TH STR. & RICHARD DOWNING AVE





FLEET FARM SUBMITTAL

COUNCIL BLUFFS, IA 07.16.18





















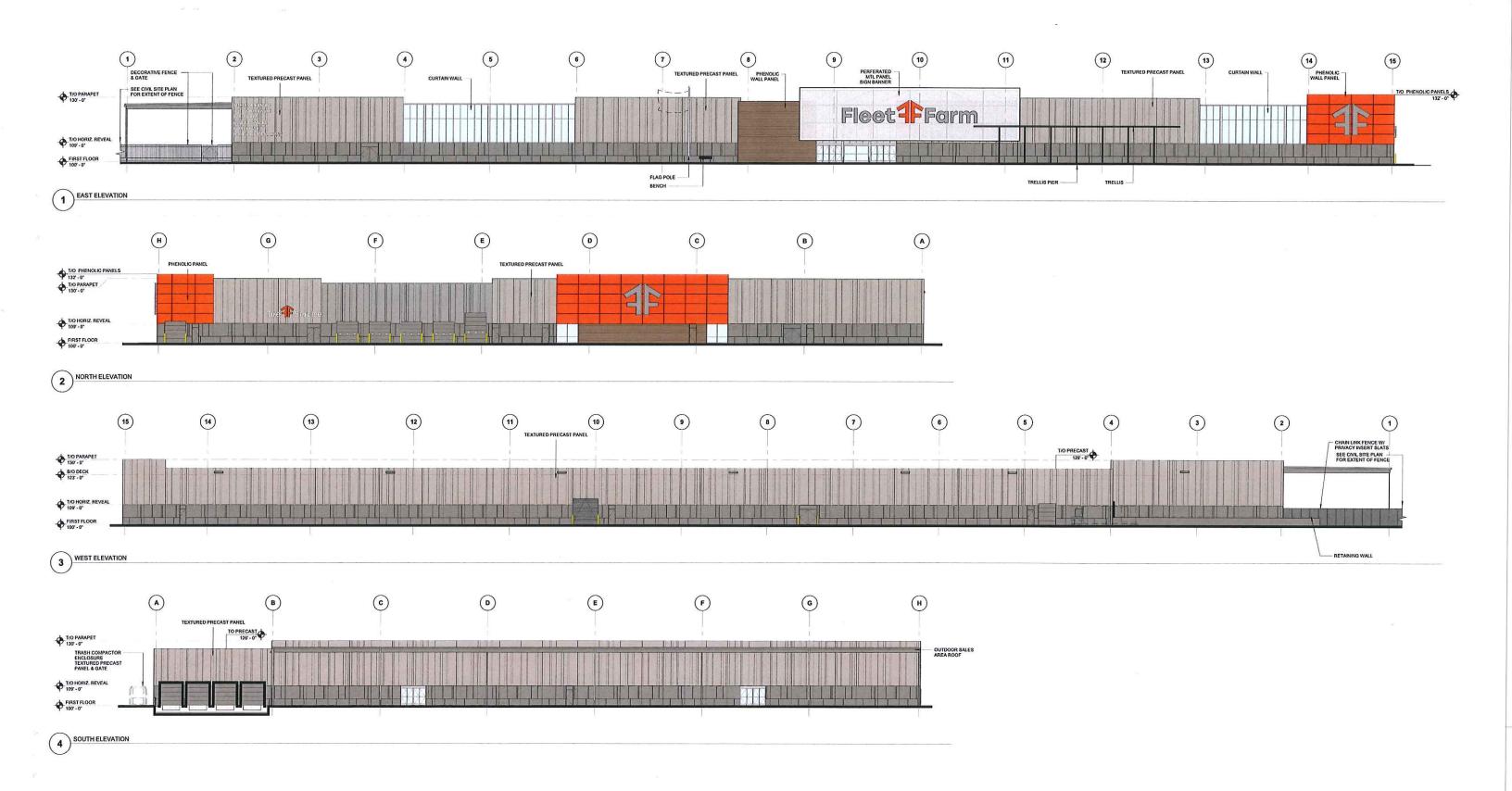




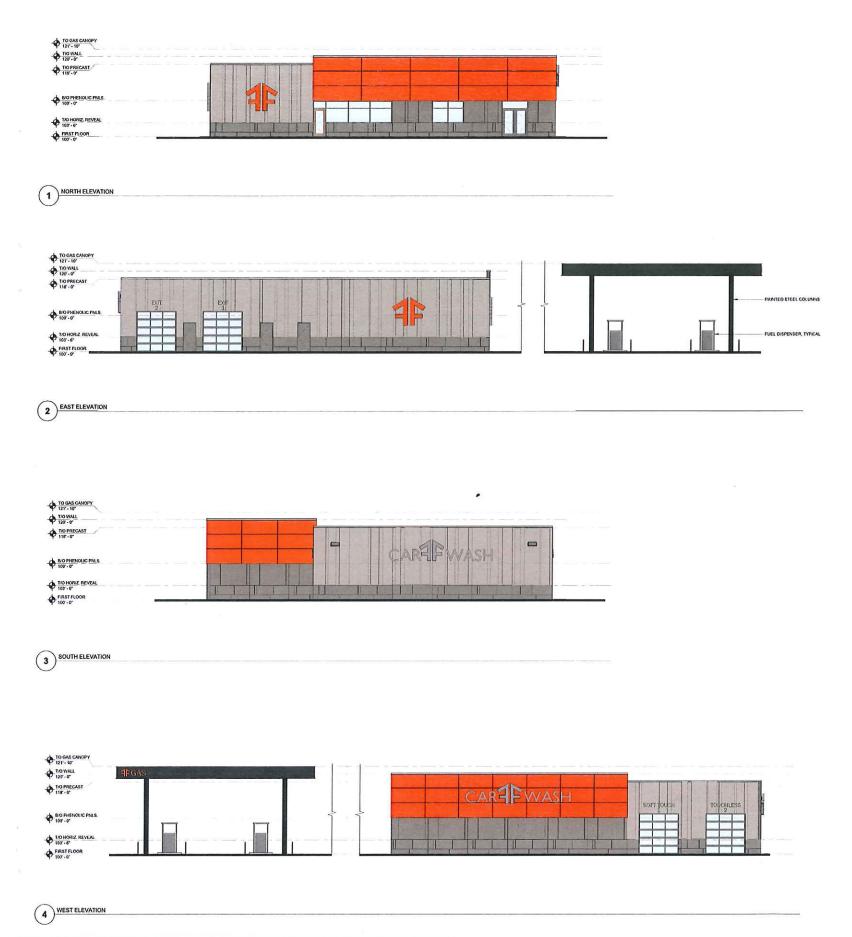
Council Bluffs, IA VIEW 4





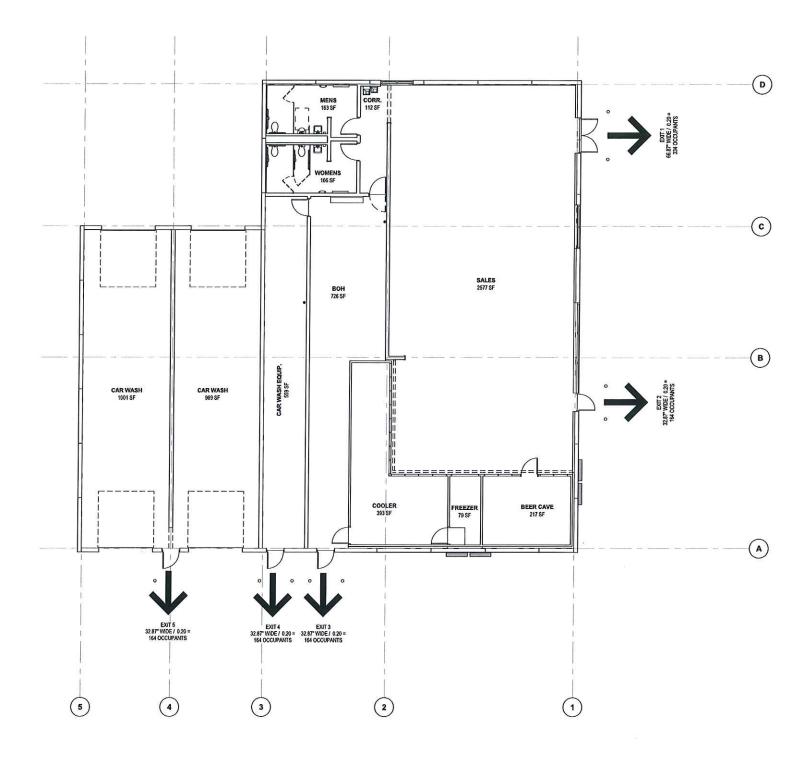


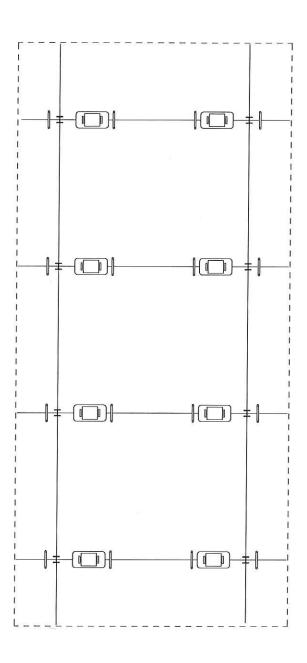






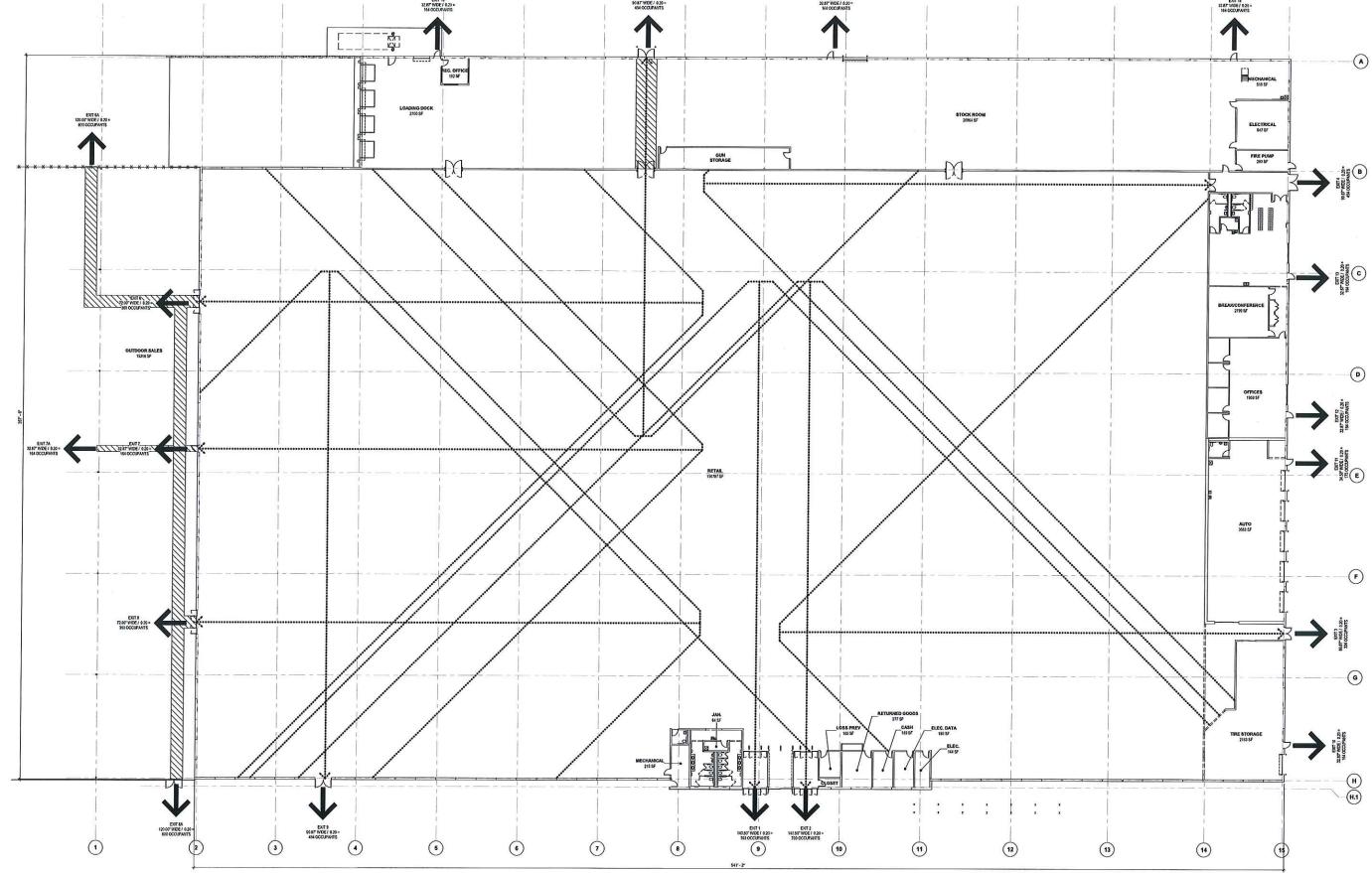














Council Bluffs, IA PLAN















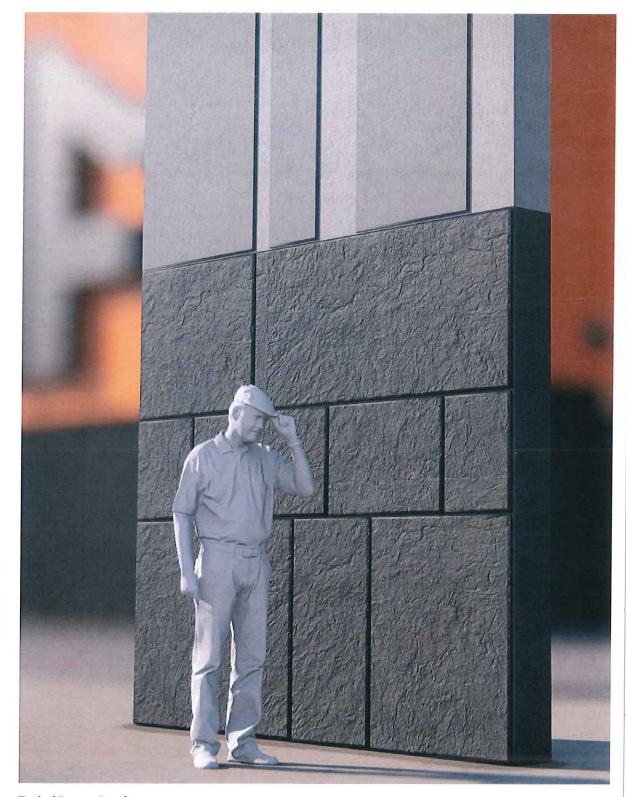
PHENOLIC PANEL

Fleet Farm Orange



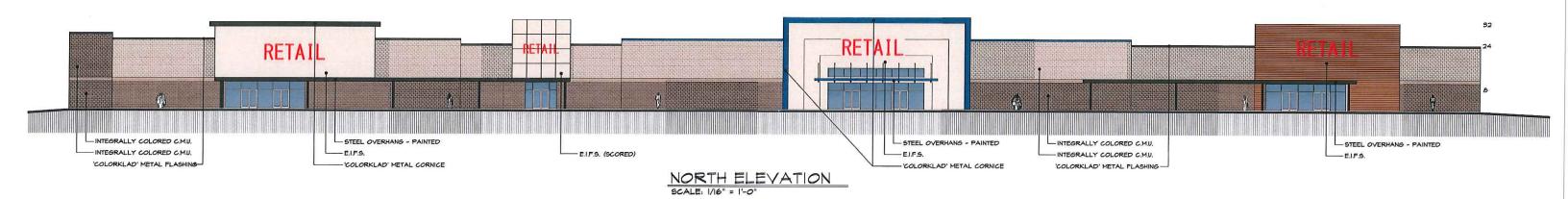






Typical Precast Panel







COUNCIL BLUFFS DEVELOPMENT

S. 24TH STR. & RICHARD DOWNING AVE





City Planning Commission Communication

City Planning Communication		
Department:		
Community Development	Resolution No.	Planning Commission Meeting:
Cases No. SUB-18-011 and	Resolution No.	August 14, 2018
PC-18-002	resolution ivo.	π
Applicant/Developer:		
Royce Enterprises Inc. 12910 Pierce Street, Suite 110		
Omaha, NE 68144		
2		
Property Owners:		
C F Realty Group, LLC 6457 Frances Street, Suite 100		
Omaha, NE 68106		
Frank R. Krejci Trust		
1505 N. 203 rd Street Elkhorn, NE 68022		
EIRHOIH, NE 08022		
Engineer:		
Olsson Associates		
c/o Kellen Heideman		
2111 S. 67 th Street, Suite 200 Omaha, NE 68106		
Omana, NE 00100		

Subject/Title

Request: Combined public hearing on the request of Royce Enterprises, Inc. for preliminary plan approval of a 13-lot commercial subdivision and to adopt a planned commercial development plan for 24 Park Place

Location: Southwest corner of the intersection of South 24th Street and Richard Downing Avenue.

Background/Discussion

Royce Enterprises Inc. has requested preliminary plan approval of a 13-lot commercial subdivision to be known as 24 Park Place and concurrent adoption a planned commercial development plan on 47.02 acres of land located at the southwest corner of the intersection of South 24th Street and Richard Downing, on property legally described on Attachment 'A'. The applicant has a purchase agreement with the current property owner and proposes to develop the corner site with a new retail shopping center that will consist of an 185,000 square foot retail store (Fleet Farm), 88,000 square foot strip retail building, and seven lots for sale. A full description of the proposed 24 Park Place subdivision and development plan are included with this report as Attachment 'B'.

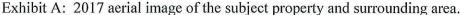
CURRENT ZONING & LAND USE

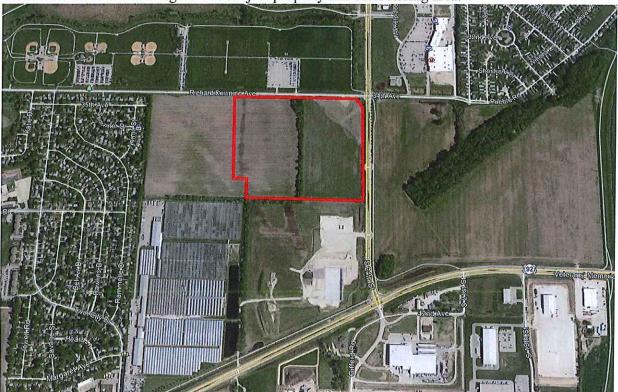
The subject property is comprised of 47.02 acres of undeveloped land zoned A-2/Parks, Estates and Agricultural District (see Attachment C). An application to rezone the property from A-2 District to P-C/Planned Commercial District is scheduled for public hearing the by Council Bluffs City Council on August 13, 2018 (see Case #ZC-18-009). Surrounding zoning in the general vicinity of the request includes A-2 District to the north and west; P-C/Planned Commercial District and I-2/General Industrial

Cases #SUB-18-011 & PC-18-002 Page 2

District to the east; along with A-2 District and I-1/Light Industrial District to the south (see Attachment C). Existing land uses in the general vicinity of the request includes the Council Bluffs Recreational Complex to the north; Marketplace Shopping Center and undeveloped land to the east; Dallas Johnson Greenhouses and XTL project to the south; and undeveloped land to west.

The future land use plan of the Bluffs Tomorrow: 2030 Comprehensive Plan designated the subject property as Office/Industrial and High Density Multi-Family Residential. The proposed P-C District is consistent with the Office/Industrial designation but not the High Density Multi-Family Residential designation of the Bluffs Tomorrow: 2030 Comprehensive Plan





CITY DEPARTMENTS & UTILITIES

All City Departments, local utility providers and Iowa Department of Transportation have reviewed the plan with comments incorporated below.

COMMENTS

A. CASE #SUB-18-010 - Preliminary Plan (see Attachment D)

1. General

a. Approval of the preliminary plan is tentative and does not constitute acceptance of the final plat, 'but is deemed to be an authorization to proceed with the preparation of the final construction plans or performance guarantee and the final plat' (§14.11.060.04-Subdivision Ordinance). A final plat application for the first phase must be filed within one year of the date of action by the City Council. A request for extension may be made by the subdivider in writing prior to the expiration date. One-year extensions are considered by the City Planning Commission.

b. The proposed subdivision is comprised of nine developable lots number 1 through 9 and four outlots labeled A through D. The applicant proposes to develop the subdivision in two phases. Proposed phase one includes Lot 1 and Outlots A and B. Proposed phase two includes Lots 2 through 9 and Outlots C & D. The applicant intends to start Phase 2 construction one all potential wetlands in the northeast corner of the site have been mitigated.

2. Access

- a. Access to the subdivision will be from Richard Downing Avenue and South 24th Street, which are public roadways. The main development entrance will be located at an existing median break on South 24th Street and will connect into two internal streets that provide access onto Richard Downing Avenue. The furthest west right-of-way connection, approximately 600 feet west of the Richard Downing Avenue and South 24th Street intersection, is proposed to be a full movement access. The second right-of-way connection located 300 feet west of the intersection of Richard Downing Avenue and South 24th Street is proposed to be right-in/right-out only. Proposed Lot 1, 24 Park Place will have a separate private driveway onto Richard Downing Avenue. All access connections onto Richard Downing Avenue and South 24th Street shall be designed and constructed to comply with Council Bluffs Public Works Department standards.
- b. Two internal streets are proposed with this subdivision and are labeled as Street 'A' and Street 'B'. The names for these two streets must be identified on the final plat. Additionally, the interior roads are identified to be 25 feet in width, which is substandard for a public roadway. Both roadways must be private if constructed at 25 feet in width, or increased to 26 feet in width to be dedicated to the City as a public roadway according to the Council Bluffs Public Works Department. If these roads will be public the appropriate easement dedication language must be stated on the final plat for 24 Park Place.
- c. There shall be no direct vehicular access to Richard Downing Avenue from Lots 2, 8 and Outlot D. Said restriction language shall be stated on the final plat for 24 Park Place.
- d. There shall be no direct vehicular access to South 24th Street from Outlots A, C, or D. Said restriction language shall be stated on the final plat for 24 Park Place.
- e. A draft traffic study for the proposed 24 Park Place subdivision identified that Richard Downing Avenue must be widened to a three-lane section. The Council Bluffs Public Works Department has received the traffic study and is working with the project engineer to finalize the report. All traffic improvements associated with the subdivision shall be constructed to comply with Public Works Department standards.

3. Grading and Drainage

- a. The subject property is relatively flat and sits approximately four feet below the intersection of South 24th Street and Richard Downing Avenue. The applicant's engineer has provided a preliminary drainage report and geotechnical report for the proposed subdivision to the City for review. The reports identifies that fill will be brought in to raise the site in order to achieve adequate fall for site utilities (e.g., sanitary and storm sewers). The site will graded to drain stormwater run-off into detention basins located in the center and southern sides of the development. These basins are identified as Outlots A through D. The Council Bluffs Public Works Department is working with the project engineer to finalize grading and drainage plans for this development. All grading and drainage activity for this development shall be completed in accordance with the approved final plans.
- b. All stormwater basins shall be dedicated to a development association on the final plat.
- c. The stormwater basin in Outlot B shall be designed and maintained as an amenity for the proposed development.

4. Utilities

- a. Sanitary sewer to serve the development will be extended from a connection in South 24th Street and will be built as part of the street construction. All public sanitary and storm sewer mains/extensions located outside of the public right-of-ways shall be located within a recorded, non-exclusive easement, at least 20 feet in width.
- b. The applicant will contract with the Council Bluffs Water Works to provide adequate water distribution for service and fire protection for the development.
- c. The applicant will contract with Mid-American Energy for electrical service for 24 Park Place. Mid-American Energy stated they have "no objection to the referenced applications for the new shopping center to be known as 24 Park Place at the Southwest corner of the intersection of S. 24th Street and Richard Downing Avenue in Council Bluffs. The company has not entered into an agreement to extend electric service to the development at this time. Developer requirements will include but are not limited to furnishing a 15 foot utility easement along the route MidAmerican Energy facilities and furnishing and installing all UG conduits. A detailed proposal identifying the customer and company requirements and cost for extending electric service to the development can be prepared and submitted once specific plans and load information can be provided".
- d. The applicant will contract with Black Hills Energy for natural gas service and will provide the necessary easements to extend gas service into the development. No comments were received from Black Hills Energy regarding the proposed development proposals.
- e. The applicant will contract with a local communication provider to extend voice, data, and cable service into the development.
- f. All utilities within the proposed subdivision shall be installed underground. Any cost to extend, remove, relocate, and/or modify utilities associated with this development shall be at the sole expense of the applicant and not the City.
- g. The standard 10 foot-wide and five foot-wide franchise utility easements shall be established along all front, rear and side property lines for each lot on the final plat.

5. Floodplain and Wetlands

- a. The subject property is located within a property is located within a Zone X, as shown on the FEMA FIRM panel 19155C0560E, dated February 4, 2005. The applicant will be responsible for compliance with all Federal, State, and Local requirements regarding floodplain management.
- b. The submitted letter of intent stated that potential wetlands may be located in the northeast corner of the proposed development. The applicant shall be responsible to comply with all Federal, State, and Local requirements regarding jurisdictional wetlands of the United States Army Corps of Engineers area.

B. CASE #SUB-18-010 - Preliminary Plan (see Attachments E, F, G, and H)

1. Pedestrian Ways

- a. The applicant proposes installation of a five-foot wide sidewalk along each side of the newly constructed streets in the development as well as a five foot-wide sidewalk along the right-of-way Richard Downing Avenue and South 24th Street. The Council Bluffs Public Works Departments requires the sidewalks along Richard Downing Avenue and South 24th Street to be built within the City's right-of-way and for said sidewalks to be extended to all property lines in the development. The sidewalk at the intersection of Richard Downing Avenue and South 24th Street shall be configured to match the roadway build out condition.
- b. Each lot shall also have an identified pedestrian way, measuring a minimum of five feet wide, extending from the primary entrance area of each building to the nearest sidewalk located in right-of-way. The pedestrian way may be designed with pavement striping or change in paving material or an approved alternative by the Director of the Community Development Department

or his/her assignee. It is encouraged that he pedestrian connection be incorporated into the overall layout of each lot and that it may be complementary to the landscaping on each site.

2. Landscaping

- a. The applicant's submitted landscaping plan is included in this report as Attachment 'E'.
- b. A minimum 10 foot-wide landscape strip shall be provided along each side of proposed Street 'A' within the designated 50 foot-wide right-of-way. This street abuts proposed Lots 2, 3, 4, 5, 8, 9 and Outlots C & D. A medium height/size growing tree shall be planted on both sides of this street, within the designated right-of-way, every 40 feet on center at the time of road construction.
- c. A minimum five foot-wide landscape strip is shown to be provided along each side of property Street 'B' within the designated 50 foot-wide right-of-way. This street abuts proposes Lots 5 through 8 and Outlot D. A medium height/size growing tree shall be planted on both sides of this street, within the designated right-of-way, every 40 feet on center at the time of road construction.
- d. A minimum 35 foot-wide landscape strip shall be provided along the frontages of proposed Lots 1, 2, 8, and Outlot D abutting Richard Downing Avenue right-of-way. Landscaping within these areas shall be designed and installed with development on each said lot.
- e. A minimum 10 foot-wide landscape strip shall be provided along the frontages of Lots 2 through 9, adjacent to proposed Streets 'A' and 'B' right-of-way.
- f. Not less than 10% of the total lot area shall be landscaped with trees, shrubs, and other plant materials. All parking lot islands included in the design greater than 20' x 12' shall be planted with trees and vegetation. All landscape strips adjacent to any right-of-way area(s) shall be included as part of the 10% landscaping lot coverage requirement on each lot.
- g. A minimum of one tree shall be planted on each lot for every 10 parking spaces located on the lot.
- h. At least four square feet of landscaping per each lineal foot of building frontage shall be installed between the building front and interior drive(s).
- i. Landscaping shall not interfere with the sight clearance triangle and any un-signalized intersection and shall not impede vision of any automobile at the street, driveway, or pedestrian way. Plant material shall be complementary to that proposed for the landscaping strip adjacent to the right-of-way.
- j. All landscaped area including grassed and sodded areas shall be irrigated.
- k. A landscaping plan shall be part of every building permit application. The plan shall clearly identify plant materials, quantity, and size and shall show dimensions of all areas to be landscaped. All landscaping shall be appropriately maintained and dead plant material replaced at a time appropriate to planting season(s) but in all cases shall be replaced within one year.
- 1. All parking lots shall have a strip five feet in width planted with grass or landscaped with plant material along the side and rear property lines, the requirement can be waived if two parking lots adjoin, however the net amount of green space required for each adjoining lot shall be incorporated into other areas on the shared parking lots. The five foot-wide strips may be included in the 10% landscaping lot coverage requirement.
- m. Not 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.

3. Signage

- a. One center identification sign located within proposed Outlot D, adjacent to South 24th Street right-of-way, shall be allowed for the entire development. The sign shall have maximum height of 30 feet, as measured from the finished grade, and shall contain no more than 450 square feet of signage per face. The center identification sign submitted with this development proposal is generally acceptable in design, height, and size (see Attachment F).
- b. On-site directional signage shall count toward the overall amount of signage permitted and shall be limited to a maximum height of six feet, as measured from finished grade, ad shall be limited

to a maximum of four square feet per sign face, not to exceed a total of eight square feet per sign.

- c. Signage shall be allowed as follows:
 - i. Lot 1 shall be allowed 25% of the square footage of the building façade facing the longest abutting street frontage for attached signage. Attached signage can be placed at any location on the building. Awnings are allowed as decoration, but no signage shall be allowed on an awning.
 - ii. Lot 2 and Lots 4 through 9 shall be allowed 20% of the square footage of the building façade facing the longest abutting street frontage for attached signage. Attached signage can be placed at any location on the building. Awnings are allowed as decoration, but no signage shall be allowed on an awning. No pole or monument signs are allowed except for food menu boards and a convenience store price monument sign. The detached monument sign shall be limited to a maximum height of 10 feet, as measured from finished grade. The entire monument sign be counted as signage as measured from finished grade to the top of the monument and from one side of the monument structure to the other with a maximum area on each side limited to 100 square feet per whole face.
 - iii. Lot 3 shall be allowed to occupy 80% of the overall length of frontage leased. No pole signs shall be allowed.

Note: The Community Development Department does not support 80% standard for attached signage on proposed Lot 3. This amount of signage exceeds proposed standards allowed for other lots in this subdivision as well as standards allowed in other major shopping centers in Council Bluffs (e.g., Metro Crossing, Marketplace, and Lake Manawa Power Center). The Community Development Department supports allowing a maximum of 20% of the square footage of the longest street facing building façade for attached signage. The attached signage can be placed at any location on the building. The Community Development Department also supports not allowing a detached monument sign on this lot for development plan consistency purposes.

4. Site Development

- a. Minimum setback requirements for all structures shall be as follows: Exterior development property boundary: 15 feet; Right-of-way setback: 10 feet; and Interior: 5 feet.
- b. For the purpose of determining minimum setback requirements the property line that forms the common outer perimeter of the overall shopping center development shall be considered the "exterior property boundary". All other property lines that are not adjacent to a right-of-way shall be considered an "Interior" line.
- c. The maximum height of any building, structure, or decorative feature shall not exceed 50 feet in height.
- d. All trash receptacles shall be enclosed on three sides and screened from public view with materials similar to those of the primary building. The enclosure shall have a lockable gate which when closed completely eliminates view of the dumpster.
- e. All loading areas shall be screened from public view, including all right-of-way by a combination of complementary architectural treatments and/or landscaping which after three years shall significantly screen the loading area from view.
- f. Building materials on Lots 3 through 9 shall be made up of 100% masonry materials such as brick, split faced block (with texture), concrete masonry units (CMU), or EFIS materials. Metal and wood shall only be allowed as an architectural accent. Twenty (20%) of the building front façade shall be made of brick. No flat faced concrete block shall be allowed except for the rear wall of a building when it is not visible from a public space or right-of-way. Wood or a wood appearing siding may be acceptable as a main exterior material only for buildings less than 10,000 square feet (base floor area). Vinyl siding is not allowed. (see Attachment G)

g. Buildings materials, architectural designs, and decorative fencing for the Fleet Farm retail store (including their outdoor lumber/garden center) and associated gas station on Lots 1 and 2 shall be approved and constructed in accordance with the submitted development plans shown in Attachment 'H'. Additionally, for Lot 1, a six foot-tall privacy fence comprised of wood, vinyl, and/or landscaping shall be installed along the entire westerly property line for screening purposes, prior to issuance of a certificate of occupancy.

- h. Awning or other decorative features may be allowed on the façade of a building and must be at least eight feet above the traveled pedestrian way and may not project over drive aisles or parking areas.
- i. The layout and placement of a building on proposed Lot 8 will cause all facades to be viewable from rights-of-way located within the development and Richard Downing Avenue. The architectural design of the building on this lot must take into account that there is no 'true' rear façade. As such the façade designed with service entrees shall be enhanced with awnings, or other decorative features. Such features may be allowed on the façade of a building and must be at least 8 feet above the traveled pedestrian way and may not project over drive aisles or parking areas.
- j. All equipment placed on roofs shall be screened with an architectural feature from public view.
- k. No more than 40% of any lot shall be covered with structures.
- 1. Outside storage is not allowed. This includes the temporary and/or permanent placement of intermodal storage containers.
- m. Access to the rear of each building for Fire Department equipment shall be provided in accordance with the requirements of the Fire Marshal's Office.

5. Off-Street Parking

- a. The minimum number of parking spaces shall be as determined in Chapter 15.23, Off-Street Parking, Loading and Unloading of the Council Bluffs Municipal Code (Zoning Ordinance). In cases where several uses occupy a structure or parcel of land the total requirement for off-street parking shall be the sum of the requirement of the different uses.
- b. The applicant shall be responsible to develop cross access and ingress/egress easements to be recorded with the final plat to accommodate shared parking and driveways.
- c. Each request for a building permit will include a parking lot plan showing the number, location, and dimension of all drive aisles and spaces, pedestrian ways, islands, landscaped areas, loading areas and lighting.
- d. All parking lots are also subject to compliance with the Parking for Persons with Disabilities chapter of the Iowa Administrative Code.

6. Outdoor Lighting

a. All lighting on private lots shall be painted or finished aluminum or steel. Wood poles are not allowed. The maximum height shall not exceed 40 feet. The fixture designs located on private property shall be generally of a similar design and finish.

Recommendation

The Community Development recommends: 1) approval of the preliminary subdivision plan for 24 Park Place, and 2) approval of the planned commercial development plan, subject to the above comments along with the following conditions:

1. Approval of the preliminary plan is tentative and does not constitute acceptance of the final plat, 'but is deemed to be an authorization to proceed with the preparation of the final construction plans or performance guarantee and the final plat' (§14.11.060.04-Subdivision Ordinance). A final plat application for the first phase must be filed within one year of the date of action by the City Council. A request for extension may be made by the subdivider in writing prior to the expiration

date. One-year extensions are considered by the City Planning Commission.

- 2. A preliminary subdivision plan and planned commercial development plan incorporating the above changes (technical and non-technical) shall be submitted to the Community Development Department following action by the City Council, but prior to the submittal of any construction drawings and/or grading permit requests to ensure that all necessary plan changes have been made and that drawings submitted for subsequent reviews and approvals by City staff are consistent with the conditions and plans approved by the City Council.
- 3. Any requested change(s) to the preliminary plan and development plan as approved by the City Council shall be reviewed by the City Planning Commission and City Council.
- 4. For proposed Lot 1, a six foot-tall privacy fence comprised of wood, vinyl, and/or landscaping shall be installed along the entire westerly property line for screening purposes, prior to issuance of a certificate of occupancy.
- 5. For proposed Lot 3, a maximum of 20% of the square footage of the longest street facing building façade for attached signage shall be allowed. The attached signage can be placed at any location on the building. No detached pole or monument sign shall be allowed on this lot for consistency purposes with Lots 4 through 9.
- 6. All utilities shall be installed underground. Any cost to relocate, modify and/or remove utilities associated with the development of this subdivision shall be at the sole expense of the applicant and not the City.
- 7. All traffic improvements associated with this development shall be completed in accordance with the approved traffic impact study.
- 8. All grading and drainage activity for this development shall be completed in accordance with the approved final plans.
- 9. The detention basin identified as Outlot B shall be designed and maintained as an amenity feature for the development.

Attachments

- Attachment A: Zoning/legal description exhibit for 24 Park Place Subdivision
- Attachment B: Letter of intent/development plan by Kellen Heideman, P.E., Olsson Associates
- Attachment C: Zoning/location map
- Attachment D: Preliminary subdivision plan for 24 Park Place
- Attachment E: Landscape plan
- Attachment F: Center identification sign rendering
- Attachment G: Exterior building elevations for proposed Lot 3
- Attachment H: Development plan for Fleet Farm and Fleet Farm Gas Station, Lots 1 and 2
- Engineer: Kellen Heideman, P.E., Olsson Associates. 2111 S. 67th Street, Suite 200, Omaha, NE 68106
- Prepared by: Christopher N. Gibbons, AICP, Planning Coordinator