

## RESOLUTION NO. 22-315

### A RESOLUTION ADOPTING A PLANNED COMMERCIAL DEVELOPMENT PLAN FOR PROPERTY LEGALLY DESCRIBED AS LOT 2, BLUFFS VISION 4 SUBDIVISION, CITY OF COUNCIL BLUFFS, POTTAWATTAMIE COUNTY, IOWA.

**WHEREAS,** Ryan Companies US, Inc. is requesting approval of a planned commercial development plan on undeveloped land lying at the southwest corner of 24<sup>th</sup> Avenue and Bass Pro Drive; and

**WHEREAS,** The following standards shall apply:

**A. Site Development and Operational Standards**

1. All principal and accessory structures on the subject property shall be subject to the following minimum setbacks:
  - a. Front yard: 15 feet
  - b. Interior side yard: 5 feet
  - c. Street side yard: 10 feet
  - d. Rear yard: 10 feet.
2. The maximum height for all principal structures shall not exceed 50 feet, and the maximum height for accessory structures shall not exceed 18 feet.
3. The maximum lot coverage for all structures on the subject property shall be 60% of the total lot area.
4. All trash receptacles shall be enclosed on three sides and completely screened from view with materials similar to those of the primary building. The enclosure shall have a lockable gate which, when closed, eliminates view of the trash receptacle.
5. All utilities shall be installed underground. Any cost to remove, relocate, modify, and/or extend utilities to this site shall be at the sole cost of the developer and not the City.
6. Outdoor storage shall not be permitted. This includes the temporary and/or permanent placement of inter-modal storage containers as well as vehicle parts and other products associated with vehicle maintenance and/or energy products. The parking of vehicles awaiting pickup by a customer shall not be considered outdoor storage.
7. A minimum four-foot wide sidewalk shall be provided along the Bass Pro Drive frontage. The existing sidewalk along 24<sup>th</sup> Avenue and the existing trail along Mid America Drive shall remain and, if damaged during construction, be repaired to their original state.
8. A minimum five-foot-wide pedestrian way shall be provided from the primary entrance of the building structure to the nearest sidewalk. The pedestrian way may be designated with pavement striping, change in paving material, or some other alternative

approved by the Community Development Department Director or their assign.

9. All fences shall be installed in accordance with Section 15.24.040, *Fence Regulations*, of the Council Bluffs Municipal Code (Zoning Ordinance).
10. All exterior lighting shall be installed in accordance with Section 15.24.050, *Lighting Controls*, of the Council Bluffs Municipal Code (Zoning Ordinance). Any proposed outdoor light poles shall be constructed out of painted or finished aluminum or steel. Wood poles shall not be allowed. The maximum height of any light pole shall not exceed 25 feet.
11. The applicant has submitted a photometric plan (see Attachment 'D') indicating that lighting will generally be contained within the property boundaries, with the exception of a minimal amount of light spillover across the northern, eastern, and western property lines. The light intensity across the northern and western property lines does not exceed 0.1 foot-candles in any location, and the light spillover across the eastern property line is limited to a maximum intensity of 0.4 foot-candles. The Community Development Department considers this acceptable and in line with Section 15.24.050 of the Municipal Code (Zoning Ordinance). A final photometric plan shall be submitted with the building permit application for the principal structure and shall be approved by the Community Development Department and the Public Works Department prior to installation of any outdoor lighting fixture.
12. Any installation of a solar energy conversion system(s) on the subject property shall be in accordance with the standards in Chapter 15.34, *Renewable Energy*, of the Municipal Code (Zoning Ordinance).
13. Hours of operation shall be those stated in the applicant's letter of intent.
14. Noise produced on the subject property shall conform to the regulations of Section 4.50, *Noise Control*, of the Municipal Code (Noise Ordinance).

**B. Off-Street Parking**

1. The proposed use is classified as 'indoor automobile sales and rental' and is required to provide a minimum of one parking space per 500 square feet of gross floor area, as per Section 15.23.060, *Parking Spaces*, of the Council Bluffs Municipal Code (Zoning Ordinance). Since the proposed facility will be 50,828 square feet in area, a minimum of 102 parking spaces is required. The submitted site plan shows a total of 394 parking stalls, which exceeds the minimum number of spaces required at this site. The developer has

- offered justification for their parking needs in excess of the minimum in the letter of intent, and city code prohibits the use of the parking lot for the display of vehicle(s) for sale and/or lease.
2. All off-street parking areas, driveways, and drive aisles shall comply with the standards stated in Chapter 15.23, Off-Street Parking, Loading and Unloading, of the Council Bluffs Municipal Code (Zoning Ordinance).
  3. All off-street parking lots shall comply with Chapter 661-18, Parking for Persons with Disabilities, of the Iowa Administrative Code.
  4. No junked, wrecked, or inoperable vehicles shall be stored outdoors on the subject property.
  5. Outdoor parking shall not be used for the display of inventory for sale and/or lease.
  6. Vehicle parking on the subject property shall be limited to designated parking stalls only.
  7. Vehicles parked outdoors on the subject property shall be limited to vehicles of customers and employees, vehicles awaiting service, vehicles contractually leased or sold to a customer and awaiting pickup, loaner fleet vehicles, demonstration vehicles, and mobile service vehicles, as outlined in the applicant's letter of intent.
  8. Electric vehicle charging units and supporting equipment shall not impede parking, circulation, or designated pedestrian pathways.
  9. Transformer boxes and other above-ground supporting equipment for electric vehicle charging units shall be screened with fencing and/or landscaping that extends at least six (6) inches above the highest point of the equipment or be wrapped with artwork.
  10. A parking lot permit shall be submitted with the building permit application for the proposed EV Manufacturer facility. The plan shall clearly identify the number, location, and dimension of all drive aisles, parking spaces, pedestrian ways, islands, landscaped areas, loading areas, and lighting.
  11. All grading and drainage activity for this development shall be completed in accordance with the approved final plans.

**C. Architecture**

1. Acceptable exterior building materials for development in this area of the city include brick, stone, brick- or stone-like concrete masonry units, pre-cast concrete, architectural metal panels, glazing, and other high-quality, durable materials.
2. The submitted exterior architectural elevations (Attachment 'E', sheets A4.01 through A4.07) indicate the use of primarily pre-cast concrete on all building facades. Glazing is also shown on all

facades, and architectural metal panels are proposed on the western façade. The north, east, and south facades also contain architectural “bump-outs” composed of pre-cast concrete. Multiple colors are used on all building facades to increase visual interest.

3. The Community Development Department finds the proposed architectural details acceptable and recommends adoption of the exterior architectural plans as submitted.
4. All rooftop mounted mechanical equipment that is visible from an adjacent public street right-of-way shall be screened from view using architectural design features.
5. All ground-mounted mechanical equipment that is visible from an adjacent public street right-of-way shall be completely screened from view using architectural design features, fencing, masonry wall, landscaping, or a combination thereof.

D. Signage

1. The following attached signs are proposed (see Attachment ‘F’):
  - a. One (1) 19’-7 ½” wide by 2’-0” tall sign containing the company name on the north building elevation,
  - b. One (1) 8’-0” wide by 8’-0” tall sign containing the company logo on the east building elevation,
  - c. One (1) 19’-7 ½” wide by 2’-0” tall sign containing the company name on the south building elevation,
  - d. One (1) 8’-0” wide by 8’-0” tall sign containing the company logo on the west building elevation,
  - e. One (1) 39’-3” wide by 4’-0” tall sign containing the company name on the west building elevation, and
  - f. One (1) 9’-3” wide by 1’-0” tall sign identifying the service entrance on the west building façade.
2. The following detached sign is proposed:
  - a. One (1) 3’-5 5/8” wide by 8’-0” tall monument sign near the southwest site entrance.
3. The proposed signage totals approximately 401 square feet and is deemed acceptable for the subject property.
4. On-site directional signage shall count toward the overall amount of signage permitted on the subject property. Directional signage shall be limited to a maximum height of six (6) feet as measured from the natural grade and shall be limited to a maximum of four (4) square feet per sign face, not to exceed a total of eight (8) square feet per sign.
5. The total amount of permitted signage on the subject property shall not exceed 450 square feet. This includes directional signage.

**E. Landscaping**

1. The landscaping plan (Attachment 'G') shows a mixture of ornamental trees and shrubs along the perimeter of the subject property. The proposed landscaping is generally acceptable and shall be adopted as proposed with the following modifications:
  - a. All disturbed areas without a specific landscape design shall be seeded or sodded with turf grass or prairie grass.
  - b. Parking lot islands and end caps shall contain turf grass and/or prairie grass as ground cover at minimum, or they shall be otherwise landscaped, with decorative plant species and noted on the landscape plan. Parking lot islands and end caps without vegetative landscaping shall not be permitted.
  - c. A minimum of 10% of the total parking lot area shall be landscaped, and the total landscaped area shall be indicated on a final landscaping plan submitted with the building permit application. Landscape buffers located between the parking lot and property line shall count toward total the parking lot landscaping requirement.
  - d. The landscaping plan shall indicate the plant species to be used in the detention basins on the north and south sides of the subject property.
2. Not more than 10% of the landscaped area shall be of inorganic material such as brick, stone, aggregate, river rock, metal or artificial turf. Organic mulch may be used around trees and/or shrubs.
3. All perimeter shrubs and trees shall be allowed to grow to their full mature height and shall be maintained at such height so as to screen view of the parking lot from the public right-of-way.
4. All landscaping shall be appropriately irrigated and maintained, and dead plant material shall be replaced at a time appropriate to planting seasons but in all cases shall be replaced within one year; and

**WHEREAS,** The Community Development Department recommends approval of the request of to adopt a planned commercial development plan for property legally described as Lot 2, Bluffs Vision 4 Subdivision, City of Council Bluffs, Pottawattamie County, Iowa, subject to the comments and conditions above and the following conditions:

- A. This development plan shall not become effective until such time that the Zoning Board of Adjustment issues a conditional use permit for an 'indoor automobile sales and rental' use for the subject property, and
- B. The subject property shall abide by all conditions stated above and any additional conditions adopted with the conditional use permit.

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

That the Planned Commercial Development Plan for property legally described as Lot 2, Bluffs Vision 4 Subdivision, City of Council Bluffs, Pottawattamie County, Iowa, is hereby adopted and approved, and will be in full force and effect upon completion of the conditions set forth above from and after its final passage and publication, as by law provided.

ADOPTED  
AND  
APPROVED

November 28, 2022.

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MATTHEW J. WALSH

Mayor

Attest:

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JODI QUAKENBUSH

City Clerk