RESOLUTION NO. 18-259

A RESOLUTION ADOPTING THE PLANNED COMMERCIAL DEVELOPMENT PLAN FOR PROPERTY LOCATED IN THE NORTH 1/2 OF THE SE1/4 OF SECTION 10-74-44 AND PART OF THE NW1/4 OF THE SW1/4 OF SECTION 11-74-44, CITY OF COUNCIL BLUFFS, POTTAWATTAMIE COUNTY, IOWA, AND MORE PARTICULARLY DESCRIBED ON ATTACHMENT "A".

WHEREAS, Royce Enterprises Inc. has requested adoption of a planned commercial development plan for 47.02 acres of undeveloped land located at the southwest corner of the intersection of South 24th Street and Richard Downing; and

WHEREAS, the appropriate City departments and utilities have reviewed proposed amendments to the Planned Commercial Development Plan, with comments as follows:

1. **<u>Pedestrian Ways</u>**

a. A five-foot wide sidewalk shall be installed along each side of the newly constructed streets in the development and along Richard Downing Avenue and South 24th Street abutting the subject property. 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 the 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. **<u>Landscaping</u>**

a. 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.

b. 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.

c. 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.

d. 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.

e. 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.

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

g. 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).

h. 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.

i. All landscaped areas including grassed and sodded areas shall be irrigated.

j. 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.

k. 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.

l. 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.

b. Signage shall be allowed as follows:

Attached Signage

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. Lots 2 through 9 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 but shall not extend above the side of any building wall or peak roof. Awnings are allowed as decoration, but no signage shall be allowed on an awning. For Lot 2 only, attached gas canopy signage shall be limited to 20% of the square footage of the longest canopy side. Attached signage can be placed at any location on the canopy but shall not extend above the side of the canopy face or peak roof.

Detached Signage

i. Pole signs are prohibited from being installed on any lot in the development.

ii. A maximum of one (1) ground/monument sign is allowed on each lot in the development. Ground/monument signs shall be limited to a maximum height of 10 feet, as measured from finished grade. The entire monument sign shall 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. The maximum sign area shall not exceed 100 square feet per whole sign face.

iii. 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, and shall be limited to a maximum of four square feet per sign face, not to exceed a total of eight square feet per sign.

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.

l. 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. <u>Off-Street Parking</u>

a. The minimum number of parking spaces shall be as determined in Chapter 15.23, <u>Off-Street Parking, Loading and Unloading</u> 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. <u>Outdoor Lighting</u>

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; and

WHEREAS, The Community Development Department recommends approval of the Planned Commercial Development Plan, subject to all the comments and discussed above along with the following conditions:

1. A 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.
2. Any requested change(s) to the development plan as approved by the City Council shall be reviewed by the City Planning Commission and City Council.

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

That the Planned Commercial Development Plan for 24 Park Place as shown in Attachment "H", is hereby approved and will be in full force and effect upon final plat approval for the 24 Park Place Subdivision and from and after its final passage and publication, as by law provided.

ADOPTED
AND August 27, 2018.
APPROVED

_____
MATTHEW J. WALSH Mayor

Attest: _____
JODI QUAKENBUSH City Clerk