RESOLUTION NO. 19-23

A RESOLUTION AMENDING THE PLANNED COMMERCIAL DEVELOPMENT PLAN FOR PROPERTIES LEGALLY DESCRIBED AS LOTS 1 AND 2, AND OUTLOT 1, PLAZA AT THE MARCC, RELATIVE TO BUILDING ARCHITECTURE, SCREENING/BUFFERING, OUTDOOR LIGHTING, OUTDOOR SEATING, AND LANDSCAPING.

WHEREAS, MAC Ventures, LLC, represented by the Iowa West Foundation, is requesting approval to amend the adopted Planned Commercial Development Plan for properties legally described as Lots 1 and 2, and Outlot 1, Plaza at the MARCC, relative to building architecture, screening/buffering, outdoor lighting, outdoor seating, and landscaping; and

WHEREAS, The following plan amendments are being requested:

Building Façade

1. All solid walls shall match the existing building materials, with brick on the lower portion of the building, and an EFIS or precast caps being allowed only on the upper portion of the walls and any parapet wall.
2. Window and door frames shall be of a dark bronze anodized finish
3. Doors to public spaces in a building shall be transparent. Tinting or mirroring shall be allowed to a minimal extent, allowing passing pedestrians to be able to see inside the business.
4. Doors to nonpublic spaces, such as kitchen areas or loading areas, shall be a matching material and color to other doors of similar function. Glass doors shall be made of a translucent material to allow light in, but to screen kitchen or loading areas from public view when the door is closed. Roll-up doors shall be allowed with maximum dimensions of ten (10) feet wide by ten (10) feet tall. One non-public door shall be allowed for each business, with signage clearly stating where the public entrance to each business is located.
5. Roll-up windows or doors shall be allowed to any business with a fenced-in outdoor seating area. Roll-up windows or doors shall be located within the fenced-in confines of the outdoor seating area. Roll-up doors and windows shall be made entirely of a transparent glass or similar material with dark bronze anodized frames, similar to what is shown on Attachment F.

Outdoor Seating

1. Outdoor seating shall be allowed within the fenced-in areas immediately adjacent to businesses within the plaza.
2. Outdoor seating areas shall project a maximum of twenty (20) feet from the face of the building, and shall maintain a five (5) foot wide non-obstructed sidewalk on the exterior of the fence for pedestrians and service vehicles.

3. Exterior fencing shall be a black metal with vertical pickets, similar to what is shown on Attachment C, and shall have a maximum height of 48 inches.
4. Furniture in the outdoor seating area shall be constructed primarily out of wood and metal, not plastic. Outdoor heaters and/or fire pits shall be allowed, so long as they comply with all applicable building and fire codes.

Screening and Buffering

1. All dumpsters, exterior trash storage areas, equipment areas, and other similar features shall be screened using walls or fences that are a minimum of six (6) feet in height and a maximum of eight (8) feet in height. Walls and fences shall use the same materials and colors as the adjacent building, and shall include a lockable gate that when closed eliminates the view of the trash or equipment area and its contents.
2. Unique design elements (e.g. silo as shown on Attachment D) shall be allowed without screening. These elements, whether in use or strictly decorative, shall be considered an accessory to the specific business. Features shall be allowed without screening, and shall not exceed beyond the highest parapet wall of the building, and shall not impede on any entrances to the building, or project over any sidewalks, parking areas, or drive aisles. The Community Development Director shall have the authority to approve a unique design element as a feature of a business. If the Community Development Director determines that a feature is not consistent with the adopted development plan, an amendment to the development plan would be required.
3. Any rooftop mechanical features must be screened using a parapet wall.

Lighting

1. Light poles on private property shall not exceed twenty five (25) feet in height from the existing grade. Light poles shall be painted or finished aluminum or steel. Wood poles shall not be accepted. All exterior lighting shall be of uniform in color or style.

Landscaping

1. The landscaping shall be consistent with the previously adopted plan, as approved on June 10, 2002, with Resolution No. 02-153. Removal of existing landscaping for new features shall be kept to a minimum.
2. Sidewalks along Arena Way shall be a minimum of nine (9) feet wide, as measured from the back of the curb, and interior sidewalks shall be a minimum of five feet in width for access purposes. At least four (4) feet of that width shall be free of vertical or horizontal obstacles, such as signage, landscaping features, or trees; and

WHEREAS, All appropriate City departments and utilities were notified of the proposed amendments and no objections or comments were received but Council Bluffs Water Works noted that there are easements for water main near the outside faces of the affected building; and

WHEREAS, The Community Development Department recommends approval of the proposed amendments to the adopted planned commercial development plan for Lots 1 and 2, and Outlot 1, Plaza at the M.A.R.C.C., subject to the following conditions:

1. The Community Development Director shall have the authority to approve a unique design element as a feature of a business. If the Community Development Director determines that a feature is not consistent with the adopted development plan, an amendment to the development plan would be required.

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

That the amendment to the Planned Commercial Development Plan for Lots 1 and 2, and Outlot 1, Plaza at the M.A.R.C.C. are hereby approved.

ADOPTED
AND January 28, 2019.
APPROVED

_____
MATTHEW J. WALSH Mayor

Attest: _____
JODI QUAKENBUSH City Clerk

Planning Case No. PC-02-002(M)