Council Communication

Department: Community Development Cases #SUB-19-005 and PR-19-001 Applicant/Owner: 92 Investment LLC P.O. Box 683 Avoca, IA 51521 Representative: Robert McCarthy P.O. Box 683 Avoca, IA 51521 Engineer/Surveyor: HGM Associates Attn: John Jorgensen 640 5th Avenue Council Bluffs, IA 51501	Resolution No. _____ Resolution No. _____	City Council: 6/24/19 Planning Commission: 6/11/19

Subject/Title

Request: Public hearing on the request of 92 Investments LLC for preliminary plan approval of a 19-lot residential subdivision to be known as Greenview Estates Subdivision and to adopt a planned residential development plan associated with said subdivision on 19.78 acres, more or less, of land, legally described as being a part of the SW ¼ NE ¼ of Section 4-74-43, Pottawattamie County, Iowa, being more particularly described on Sheet C.01 of the Greenview Estates Subdivision Preliminary Plan (Attachment 'D').

Location: Northwest corner of the intersection of Greenview Road and State Orchard Road (Eastern Hills Drive)

Background/Discussion

The Community Development Department has received the following requests from 92 Investments LLC:

1. Preliminary plan approval of a 19-lot residential subdivision to be known as Greenview Estates Subdivision, being a part of the SW ¼ NE ¼ of Section 4-74-43, City of Council Bluffs, Pottawattamie County, Iowa; and
2. Adopt a planned residential development plan for Greenview Estates Subdivision.

CASE #SUB-19-005: The proposed Greenview Estates Subdivision is comprised of 19.78 acres, more or less, of undeveloped land that is located at the northwest corner of the intersection of Greenview Road and State Orchard Road, which will be replaced by Eastern Hills Drive later this year. The applicant proposes to develop attached single-family dwellings on Lots 1 through 18, with Lot 19 designated for future mixed-use/multi-family development as well as storm water detention. All lots will be fully served by utilities and will have direct access to a public street.

Comments

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 sub-

divider in writing prior to the expiration date. One-year extensions are considered by the City Planning Commission. Subsequent phases are automatically granted a one-year extension.

2. The proposed subdivision is currently zoned R-3/Low Density Multi-Family Residential District, with a P-R/Planned Residential Overlay appended. The applicant proposes to adopt a planned residential development plan (see Case #PR-19-001).
3. Lots 1 through 18 range in size from 5,584 square feet (0.13 acres) to 16,956 square feet (0.39 Acres). Lot 19 is comprised of 15.23 acres of land.
4. All of the lots comply with the minimum lot size requirement in an R-3 District, and preliminary building drawings appear to show that the lots will comply with structure coverage standards.
5. Lots 3 through 19 will have direct access to a new 1,100-foot standard residential street built within a 50 foot-wide right-of-way. The proposed street will extend from Eastern Hills Drive to the east and then north to connect to Oran Drive. Lots 1 and 2 will have direct access to the extension of Oran Drive.
6. The developer will not connect Tipton Drive with the proposed street due to significant grade issues.
7. The proposed street and the extension of Oran Drive will be constructed by the applicant and dedicated to the City of Council Bluffs.
8. The proposed subdivision name "Greenview Estates" must be changed as it is a duplicate name of an existing residential subdivision development in Pottawattamie County.
9. The subdivision is located in a Flood Zone X as per FEMA Map #19155C0418F, dated April 16, 2013.
10. All lots will be serviced with utilities (e.g., sanitary/storm sewers, water, electricity, etc.).
11. All utilities shall be installed underground. All costs to construct, remove and/or relocate any utilities for the proposed subdivision shall be the responsibility of the applicant and not the City.
12. Sidewalk installation along the frontage of each proposed lot shall be completed prior to issuance of a Certificate of Occupancy for each residence.
13. All future streetlights shall meet Public Works Department standards. All costs associated with the installation of streetlights shall be the responsibility of the developer and not the City.
14. The Permits and Inspections Division stated they will require analysis from the engineer of record on structural fill if it is planned to be built on, including proctor results for compaction, and if not, the locations in which the fill is intended to be placed so that builders will be able to ascertain foundation cuts necessary to get to virgin soils.
15. The Public Works Departments provided the following comments:
    a. Proposed street name should be submitted for review;
    b. Public Works will continue to work with the engineer of record concerning stormwater management. Stormwater management will be designed to full compliance for both quantity and quality;
    c. Road profile shall be developed for Public Works to review;
    d. Sanitary sewer has a connection fee for the connection at State Orchard Road/Eastern Hills Drive;
    e. Sanitary sewer laterals shall be extended two feet into each proposed lot.
16. The Fire Department stated they have no comments on the request.
17. Council Bluffs Water Works stated the developer will have to contact them for a water main extension.
18. MidAmerican Energy stated they have no objections to the request and that they will work with the developer and the City regarding the extension of the electric facilities and installation of electric services and street lighting.
19. Cox Communications stated they have no issues with the request.
20. Black Hills Energy stated they have no concerns about this project.

The following attachments for this request are included with the staff report for reference purposes:
Attachment A: Location and Zoning Map
Attachment B: Letter of Intent
Attachment C: Soils and Drainage Report
Attachment D: Greenview Estates Subdivision Preliminary Plan

CASE #PR-19-001: Section 15.28.010, *P-R/Planned Residential Overlay*, Statement of Intent of the Council Bluffs Municipal Code (Zoning Ordinance) states "the planned residential overlay is established to permit flexibility in the use and design of structures and land in situations where conventional development may be inappropriate and where modifications of the requirements of the underlying zone would not be inconsistent with the Comprehensive Plan or harmful to the neighborhood in which it is located." A Planned Residential Overlay was appended to this property on September 13, 1999. Therefore, it is required to adopt a planned residential development plan to develop this site. As stated above, Lots 1 through 18 will be developed as attached single-family dwellings. Lot 19 will be developed in the future, at which time the planned residential development plan shall be amended.

The following development standards shall apply to the subject property:

1. **Site Development**
    a. All building setbacks, heights and lot coverages shall comply with standards stated in Chapter 15.10 *R-3/Low Density Multi-Family Residential District* of the Municipal Code (Zoning Ordinance). The submitted development plan shows proposed attached single-family dwellings with two-stall garages will comply with R-3 District site development standards.
        i. Submitted architectural renderings show attached single-family dwellings with two-stall garages and three-stall garages. Upon further review, staff determined that attached single-family dwellings with three-stall garages will not meet the required 5-foot side yard setback. Applicant has committed to only constructing attached single-family dwellings with two-stall garages in Greenview Estates Subdivision.
    b. All lots meet minimum R-3/Low Density Multi-Family Residential District lot area requirements.
    c. All fencing in the subdivision shall comply with the standards stated in Section 15.24.040, *Fence regulations* of the Council Bluffs Municipal Code (Zoning Ordinance).
    d. All site lighting shall comply with the standards stated in Section 15.24.050, *Lighting controls* of the Council Bluffs Municipal Code (Zoning Ordinance).

2. **Off-Street Parking**
    a. The required number of off-street parking spaces for attached single-family residential dwellings shall be based on the standards stated in Section 15.23.060, *Parking spaces required*, of the Municipal Code (Zoning Ordinance):
        i. Attached single-family dwelling: Two parking spaces per dwelling unit.
        ii. Each dwelling unit will be constructed with at least a two-stall garage, as per the submitted architectural renderings.
    b. All parking/loading areas, driveways and drive aisles shall comply with the standards stated in Chapter 15.23, *Off-Street Parking, Loading and Unloading* of the Municipal Code (Zoning Ordinance).

3. **Landscaping**
    a. The proposed landscaping plan shows one ornamental street tree will be planted along the frontage of each lot at the time a dwelling unit is constructed.

4. **Architecture**
    a. The submitted architectural renderings for the attached, single-family residential dwellings are generally acceptable. Each unit will be slab on-grade and limited to one-story in height.

5. **Signage**
    a. A signage plan was not submitted with the development plan. All signage shall comply with Section 15.33.160(3), *PR/Planned Residential District, Signs* of the Municipal Code (Zoning Ordinance).

The following attachments for this request are included with this report for reference purposes:
Attachment A: Location and Zoning Map
Attachment B: Letter of Intent
Attachment C: Soils and Drainage Report

Attachment D: Greenview Estates Subdivision Preliminary Plan
Attachment E: Proposed Attached Single-Family Dwelling Floor Plan
Attachment F: Landscape Plan

Recommendation

The Community Development Department recommends the following for land legally described as being a part of the SW ¼ NE ¼ of Section 4-74-43, City of Council Bluffs, Pottawattamie County, Iowa:

1. Preliminary plan approval for a 19-lot residential subdivision to be known as Greenview Estates Subdivision, subject to compliance with all above stated comments and the following conditions:
    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 final construction plans or performance guarantee and the final plat'. (§14.11.060.04—Subdivision Ordinance).
    b. 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 developer's responsibility.
    c. 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.
    d. All utilities shall be installed underground.
    e. 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 house.

2. Approval to adopt the development plan for the proposed Greenview Estates Subdivision, subject to compliance with all above stated comments and the following condition:
    a. The planned residential development plan shall be amended at the time in which Lot 19 is proposed to be developed.

Public Hearing

Staff speaker for the request:

1. Moises Monrroy, Planner, City of Council Bluffs, 209 Pearl Street, Council Bluffs, IA 51503

Speakers in favor:

2. John Jerkovich, 535 West Broadway #100, Council Bluffs, IA 51503

Speakers against: None

Planning Commission Recommendation

The Planning Commission recommended the following for land legally described as being a part of the SW ¼ NE ¼ of Section 4-74-43, City of Council Bluffs, Pottawattamie County, Iowa:

1. Preliminary plan approval for a 19-lot residential subdivision to be known as Greenview Estates Subdivision, subject to compliance with all above stated comments and the following conditions:
    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 final construction plans or

performance guarantee and the final plat'. (§14.11.060.04—Subdivision Ordinance).

b. 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 developer's responsibility.
c. 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.
d. All utilities shall be installed underground.
e. 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 house.

2. Approval to adopt the development plan for the proposed Greenview Estates Subdivision, subject to compliance with all above stated comments and the following conditions:
   a. The planned residential development plan shall be amended at the time in which Lot 19 is proposed to be developed.

VOTE: AYE 8 NAY 0 ABSTAIN 1 ABSENT 2 Motion: Carried

Attachments

Attachment A: Location and Zoning Map
Attachment B: Letter of Intent
Attachment C: Soils and Drainage Report
Attachment D: Greenview Estates Subdivision Preliminary Plan
Attachment E: Proposed Attached Single-Family Dwelling Floor Plan
Attachment F: Landscape Plan
Attachment G: Townhome Example Photos

Engineer: John Jorgensen, HGM Associates, 640 5th Avenue, Council Bluffs, IA 51501

Prepared by: Moises Monrroy, Planner