

**CITY PLANNING COMMISSION  
MINUTES  
FEBRUARY 14, 2017**

1. **CALL TO ORDER** – Danielsen called the meeting to order at 6:00 p.m.
2. **ROLL CALL**  
Members Present: Danielsen, Hartman, Holm, Milford, Nelson, Rew and VanHouten  
Absent: Blackman, Crawford, DeMasi and Holtz  
Staff: Brown, Gibbons and Wade
3. **ADOPTION OF AGENDA**  
Motion by VanHouten, second by Rew to adopt the agenda as presented. Motion carried by unanimous voice vote.
4. **APPROVAL – MINUTES OF JANUARY 10, 2017 MEETING**  
Motion by Milford, second by Holm to adopt the agenda as presented. Motion carried by unanimous voice vote.
5. **PROOF OF PUBLICATION** – Brown
6. **REVIEW OF MEETING PROCEDURES** – Danielsen
7. **PUBLIC HEARINGS** - *(Refer to the taped recording of these proceedings for official verbatim minutes)*
  - A. CASE #SUB-17-003 and CASE #ZC-17-001: Combined public hearing on the request of Tamco Properties, LLC, represented by Snyder & Associates, Inc., to rezone Lots 2 through 20, Gethsemane Gardens from R-1/Single-Family Residential District to R-2/Two-Family Residential District, along with final plat approval to replat Lots 2 through 9, Gethsemane Gardens into a 13-lot residential subdivision to be known as Gethsemane Gardens, Replat 1. Location: west of East Manawa Drive along Wallace Avenue.

The following members of the public spoke in favor of the request:

Rob Duvall, P.E., Synder & Associates, 1751 Madison Avenue, Council Bluffs, IA 51503, presented the proposed rezoning and subdivision replat requests to the Commission on behalf of the applicant. Duvall stated the purpose of both requests is to allow the applicant to build a mixture of attached and detached single-family residential dwellings in the Gethsemane Gardens Subdivision. Duvall then explained to the Commission that both requests are consistent with the Bluffs Tomorrow: 2030 Plan (comprehensive plan) and are compatible with existing land uses in the area.

Tamara Brunow, 19556 Deer Run Lane, Council Bluffs, IA 51503, stated she is the applicant for the requests and then discussed the development history of the Gethsemane Gardens Subdivision with the Commission. Brunow stated she would like to rezone and replat said subdivision in order to build a mixture attached and detached single-family residential dwellings. Brunow then discussed the design layout, potential buyers and price ranges for the proposed dwellings. Brunow also answered questions from the audience regarding building setbacks, privacy fencing for screening the subdivision from adjacent residential properties and if the proposed dwellings will be owner-occupied or rentals.

The following members of the public asked general questions about the requests:

Don Angeroth, 304 Glen Avenue, Council Bluffs, IA 51503 asked if the proposed dwellings would be owner-occupied or rentals.

Colleen Durham, 5309 Navajo Street, Council Bluffs, IA 51501, stated she is concerned with the proposed increased number of dwellings units in the Gethsemane Gardens Subdivision. Durham then asked questions regarding building setbacks and the installation of a privacy fence to screen the subdivision from her adjoining residential property.

Brown explained to the audience and Commission that Lots 10 through 20, Gethsemane Gardens Subdivision have an existing 50 foot-wide storm water drainage easement along their south property boundary where structures cannot be built. Brown then clarified that the Municipal Code (Zoning Ordinance) does not require the installation of a privacy fence between two residential properties. Brown also responded to questions from the Commission about the proposed subdivision variance to allow Lots 4 through 12, Gethsemane Gardens, Replat 1 to exceed the maximum 3:1 lot depth to width ratio requirement.

The Planning Commission members asked questions and discussed the request.

Motion by Rew, second by VanHouten to recommend:

1. Approval to rezone property legally described as Lots 2 through 20, Gethsemane Gardens from R-1/Single Family Residential District to R-2/Two Family Residential District; and
2. Final plat approval for a 13-lot residential subdivision to be known as Gethsemane Gardens, Replat 1, being a replat of Lots 2 through 9, Gethsemane Gardens Subdivision, subject to comments stated in the staff report and the following conditions:
  - a. Granting a variance to allow proposed Lots 4 through 12, Gethsemane Gardens, Replat 1 to exceed the maximum 3:1 lot depth to width ratio, based on reasons stated in the case staff report.
  - b. The final plat shall be recorded within 90 days of City Council approval or the plat shall become null and void unless an extension of has been requested and granted by the Community Development Department Director; and
  - c. Conform to all City standards and specifications, the zoning and subdivision ordinances and the Department of Public Works Standards for Public Improvements; and
  - d. All utilities shall be installed underground. Any cost to remove and/or relocate any utilities shall be the sole responsibility of the applicant and not the City; and
  - e. The applicant shall provide a copy of any proposed covenants and/or private restrictions associated with the subdivision to the City, or place a note on the final plat indicating none will be recorded.

VOTE: AYE – Danielsen, Hartman, Holm, Milford, Nelson, Rew and VanHouten. NAY – None. ABSTAIN – None. ABSENT – Blackman, Crawford, DeMasi and Holtz. Motion carried.

- B. CASE #ZT-17-002: Public hearing on the request of the Community Development Department, City of Council Bluffs to amend Chapter 15.24.060(03) of the Municipal Code, to exempt handicap accessible ramps from the maximum allowed lot coverage requirements.

Rose Brown, Planning Coordinator, City of Council Bluffs Community Development Department, spoke on behalf of the request. Brown explained to the Commission that Section 15.24.060(03), *Yard exceptions and permitted intrusions into required yards*, of the Municipal Code (Zoning Ordinance) allows handicap ramps to encroach into a required yard (setback) for access purposes but does not provide the structures any relief from maximum lot coverage requirements. Brown further discussed that the proposed text amendment exempts handicap accessible ramps from maximum lot coverage standards so that property owners have better flexibility building said structures, when necessary. Brown then answered questions from the Commission.

No one spoke in opposition of the request.

The Planning Commission members asked questions and discussed the request.

Motion by Hartman, second by Holm to recommend approval to amend Chapter 15.24.060(03) of the Municipal Code (Zoning Ordinance) to exempt handicap accessible ramps from the maximum allowed lot coverage requirements, as follows:

**15.24.060 Yard exceptions and permitted intrusions into required yards.** The following intrusions may project into required yards to the extent and under the conditions and limitations indicated:

- 1. Ramps constructed to make a structure accessible to persons with disabilities shall not count towards the maximum allowed lot coverage on any subject property and may project into the required yard(s) to the extent necessary for access, if, upon review by the mayor or designee, it is determined that the ramp has been designed to minimize the intrusion into the required yard(s) and creates no hazard to the public.*

VOTE: AYE – Danielsen, Hartman, Holm, Milford, Nelson, Rew and VanHouten. NAY – None. ABSTAIN – None. ABSENT – Blackman, Crawford, DeMasi and Holtz. Motion carried.

- C. CASE #MIS-17-001: Public hearing on the request of the City of Council Bluffs for review of the Capital Improvement Plan (CIP) for FY2017-18 through FY2021-22.

Rose Brown, Planning Coordinator, City of Council Bluffs Community Development Department, spoke on behalf of the request. Brown stated the Commission's role is to review the proposed capital improvement plan and then make a recommendation on whether the plan is consistent the Bluffs Tomorrow: 2030 Plan (comprehensive plan) to City Council. Brown explained how the CIP was prepared as a collaborate effort between City departments and the Mayor's office. Brown then discussed each City department's capital projects planned for FY2017-18. Brown then answered questions from the Commission.

Wade responded to questions from Commission regarding the City's bonding capacity and the impact of some large-scale City projects (e.g., River's Edge, M.A.C. facility and Bass Pro building) on the CIP.

Motion by Milford, second by Holm to find the proposed Capital Improvement Program for Fiscal Years FY2017-18 through FY2021-22 is consistent with the Bluffs Tomorrow: 2030 Plan (comprehensive plan) and recommend approval to City Council.

VOTE: AYE – Danielsen, Hartman, Holm, Milford, Nelson, Rew and VanHouten. NAY – None. ABSTAIN – None. ABSENT – Blackman, Crawford, DeMasi and Holtz. Motion carried.

**8. OTHER BUSINESS** (*Refer to the taped recording of these proceedings for the official verbatim minutes*)

- A. City Council update – Wade provided an update of City Council actions relative to recent planning cases.
- B. Other items of interest – None.

**9. ADJOURNMENT** – Danielsen adjourned the meeting at 7:05 P.M.

*The recording of this proceeding, though not transcribed, is part of the record of each respective action of the City Planning Commission. The recording of this proceeding is incorporated into these official minutes of this Commission meeting as if they were transcribed herein.*