



## Planning & Zoning Commission

COMMUNITY DEVELOPMENT DEPARTMENT

July 13, 2015

<p><b>SUBJECT:</b> Consider approval of a Final Plat for The Gardens Plat 1 subdividing 5.93 acres into 2 lots. The property is located north of NW 57<sup>th</sup> Avenue and east of Merle Hay Road.</p>	
<p><b>SYNOPSIS:</b></p>	<p>On March 2, 2015 the Johnston City Council approved a site plan depicting the construction of 72 apartment units over 5.93 acres located east of Merle Hay Road and north of NW 57th Avenue subject to a replat of the subject properties to facilitate compliance with bulk regulations and setback requirements.</p>
<p><b>RECOMMENDATION:</b></p>	<p>Staff recommends approval of the final plat, subject to the conditions noted and provides the following motion for the Commission's consideration:</p> <ol style="list-style-type: none"> <li>1. The project shall conform to the requirements, standards and regulations of the City of Johnston.</li> <li>2. Pursuant to Chapter 180.42 of the Subdivision Regulations and Resolution 08-53, the applicant shall be responsible participation in the reconstruction of NW 70<sup>th</sup> Avenue to improve the roadway to a collector standard. Prior to the City Council approval of a final plat for the subject property (or any portion thereof) the applicants shall select and provide one of the allowed options outlined in Resolution 08-53 (bond, payment or petition and waiver), said assessments costs have been calculated to be \$56,925.08 based upon 432.66 feet of frontage along NW 57<sup>th</sup> Avenue</li> <li>3. Submission of all final plat documentation to City's Staff and Attorney, for review and approval, must occur six (6) working days prior to the City Council's regular meeting.</li> </ol>

Motion by \_\_\_\_\_, seconded by \_\_\_\_\_ to recommend approval of PZ Case No. 15-18 the Final Plat for The Gardens Plat 1 subject to the conditions noted above.

Attachments: Final Plat prepared by Snyder and Associates, dated February 18, 2015  
 Vicinity Map;  
 Letter from Josh DeBower, Foth Infrastructure and Environment, dated February 9, 2015;

**PROPERTY  
OWNER/APPLICANT:**

John Larson  
Iowa Heritage Village, L.L.C.  
10609 NW 75<sup>th</sup> Street  
Grimes, IA 50111

**REPRESENTATIVE:**

Snyder and Associates, Inc.  
2727 SW Snyder Blvd.  
Ankeny, IA 50023

**BACKGROUND &  
PRIOR APPROVALS:**

Lot 1 is the site of the Johnston Commercial Plaza which was approved by the Johnston City Council on March 10, 1983 (PZ Case 83-3, Home Plan Savings and Loan).

An addition was approved for the Johnston Commercial Plaza in 2004 via resolution 04-210 for a single-story addition of 462 square feet (PZ 03-36).

The Polk County Assessor's website indicates a single family home was constructed on Lot 2 in 1920. The home was demolished within the last few years in preparation for redevelopment of the site.

Lot 2 was rezoned from R-1A to R-4, High Density Residential on July 21, 2008 via ordinance 784. The R-4 designation was limited to senior housing through development agreement.

Lots 1 and 2 were collectively rezoned to PUD allowing uses of the C-2, Community Retail Commercial and R-4, High Density Residential District via Ordinance 873, on December 17, 2012.

The site plan and preliminary plat for The Gardens Apartments depicting the construction of 72 apartment units on the subject property were approved by the Johnston City Council on March 2, 2015 via resolution 15-65.

**ZONING DISTRICT  
AND BULK  
REGULATIONS:**

The PUD allows C-2 uses for Lot 1 (Parcel 'A' of the PUD) with upper-story residential uses. To date, the upper-story has not been converted to residential units.

The PUD also allows R-4, High Density Residential uses for Lot 2 (Parcel 'B' of the PUD).

The bulk regulations for Lots 1 and 2 are illustrated below:

**TRAFFIC ACCESS &  
CIRCULATION:**

	<b>Lot 1</b>	<b>Lot 2</b>
<b>Lot Area</b>	20,000	80,000 s.f.
<b>Lot Width</b>	100	180'
<b>Front Yard Setback</b>	30	35'
<b>Rear Yard Setback</b>	35	35'
<b>Side Yard Setback</b>	10/20	35'
<b>Height</b>	50'	50'

The proposed residential density of the property is 72 units over 4.5 acres or 16 units per acre. The maximum density allowed in the R-4 district is 16 units per acre.

Lot 1 has existing access to NW 57<sup>th</sup> Avenue and signalized access to Merle Hay Road. Lot 2 has access to NW 57<sup>th</sup> Avenue and a secondary access to the signalized intersection at Merle Hay Road via ingress/egress access easement across Lot 1.

A traffic study was conducted by Foth Infrastructure and Environment in 2008 when Parcel 'B' was rezoned to R-4 with a senior housing restriction. The study concluded the proposed senior housing use would not generate a sufficient volume of traffic necessary to mandate signalization at the intersection of NW 57<sup>th</sup> Avenue and Merle Hay Road.

The traffic study was revisited in 2012 when the property was rezoned to PUD to determine the impact of removing the senior housing restriction on the R-4 parcel. The study concludes that, although more daily trips are added to the surrounding road network, the additional traffic in the peak hours is low and the intersection of NW 57<sup>th</sup> Avenue and Merle Hay Road is still expected to maintain the current level of service; however, NW 57<sup>th</sup> Avenue must be reconstructed to collector street standards per Chapter 180.42 of the City of Johnston Code of Ordinances which mandates improvements to adjacent streets for proposed developments to offset their impact on the existing transportation network.

Toward that end, the applicant is required to improve adjacent streets to the standards of a collector street, or submit a petition and waiver for such future improvements. Currently, reconstruction of NW 57<sup>th</sup> Avenue from Merle Hay Road to NW Beaver Drive is scheduled in the city's capital improvements program for the fiscal year 2016/2017. The project includes roadway, storm sewer construction, sanitary sewer installation, and water main replacement. To avoid duplication of efforts and inconvenience to area residents, staff recommends a condition for approval requiring

applicant submittal of a petition and waiver for improvements to NW 57<sup>th</sup> Avenue prior to council approval of the final plat, in lieu of conducting roadway improvements adjacent to the proposed project coincident with development of the site. Said petition and waiver mandates developer participation in a portion of the cost of roadway improvements to include a standard thirty-one foot local street, drainage improvements up to a 12" diameter pipe, a four-foot sidewalk, proportionate share of engineering and administration and proportionate depth of pavement (depth 7") adjacent to the south boundary of The Gardens In Johnston Plat 1.

**SIDEWALKS:**

A 4' sidewalk will be installed along the NW 57<sup>th</sup> Avenue frontage, to be constructed with the road improvement project. Staff recommends a condition of approval pending council deferral of sidewalk adjacent to NW 57<sup>th</sup> Avenue until completed with the roadway improvement project or otherwise directed by the City Council, at which time it shall be constructed immediately at the applicant's sole cost.

An internal sidewalk network connects each building to the parking areas and allows for internal circulation. In addition, a trail traverses the site utilizing the proposed sidewalk network and access drive connecting the existing inter-urban trail to the sidewalk at Merle Hay Road.

**PARKLAND  
DEDICATION:**

The PUD requires the Developer to provide all easements necessary and construct a nine (9) foot wide ACC trail or an eight (8) foot wide PCC trail that connects to the inter-urban trail and extends through the subject property and adjacent properties and connects to the sidewalk along Merle Hay Road. The dedication of the easements and construction of the trail shall be provided in satisfaction of public parkland dedication as required by Chapter 180.43 of the City of Johnston Code of Ordinances.

The applicant has provided trail connections sufficient to deliver safe pedestrian access from the inter-urban trail to the NW 57<sup>th</sup> Avenue right-of-way. When the street improvements for NW 57<sup>th</sup> Avenue are complete, the PUD requirement for pedestrian access back to Merle Hay Road will be satisfied.

Easements depicting a connection back to Merle Hay Road are shown on the final plat.

**PUBLIC UTILITIES:**

No changes will be made to the existing utilities serving lot 1.

A new 8" water main connection must be constructed to serve lot 2 for fire protection. The line will be constructed through lot 1 via

easement, and will connect to existing 16” water main in Merle Hay Road. The new 8” line will loop through the site back to NW 57<sup>th</sup> Avenue where it will connect to an existing 6” water main (6” main to be reconstructed as part of east of Merle Hay improvements, scheduled for 2016 as discussed further in this staff report under “Traffic Access and Circulation”).

There is currently no sanitary sewer service to Lot 2 and no sanitary sewer along NW 57<sup>th</sup> Avenue. Similar to the water line, a new sanitary sewer connection must be brought to the site from Merle Hay Road via easement over lot 1.

Existing storm sewer is present at NW 57<sup>th</sup> Avenue in front of the property and also to the east near the inter-urban trail. Stormwater management facilities constructed on site will discharge to both outlets.

**STORMWATER  
MANAGEMENT:**

The subject property currently drains to a swale along the west lot line and drains south to a public ditch along NW 57<sup>th</sup> Avenue. The applicant proposes a detention basin near the north property line of lot 2, wrapping around buildings 2 and 3, which will outlet to existing storm sewer within the inter-urban trail easement at the eastern edge of lot 2. A second detention basin south and east of building 1 outlets to storm sewer within the NW 57<sup>th</sup> Avenue right-of-way. Stormwater quality volumes will be infiltrated into the soil.

Staff recommends a condition of approval requiring applicant submittal of a recorded stormwater management maintenance agreement for all proposed stormwater management facilities prior to council approval of the final plat.

**CONSULTANT  
REVIEW:**

Foth Infrastructure and Environment has reviewed the site plans and stormwater management report and offered comments in a letter dated February 9, 2015. The applicant has addressed all comments.

**PLAT SUMMARY:**

Lots:	2
Area:	5.82 Acres
Area of Streets:	Lot A – 4,464 s.f.
Net Area in Lots	5.93 Acres
Outlot Area:	NA
Length of Street:	NA
Length of Public Sewer Main:	NA
Length of Public Water Main:	NA
Length of Public Storm Sewer:	NA

FINAL  
DOCUMENTATION:

**The following documentation shall be submitted and will be recorded with the Final Plat:**

1. Attorney's title opinion
2. Polk County Treasurer's Tax Certificate
3. Consent to Plat (Owner and Lender)
4. Ingress/egress access easements
5. Private sanitary sewer easement
6. Private water main easement
7. Temporary Construction Easement
8. Warranty Deed Lot 'A'
9. Groundwater Hazard Statement for Lot 'A'
10. Lenders partial release of mortgage Lot 'A'
11. Petition and Waiver for improvements to NW 57<sup>th</sup> Avenue



February 9, 2015

Aaron Wolfe  
Senior Planner  
City of Johnston  
P.O. Box 410  
6221 Merle Hay Road  
Johnston, IA 50131

RE: The Gardens in Johnston Plat 1  
Development Review No.2  
Case No. PZ 14-49

Foth Infrastructure and Environment, LLC has completed a review of the Final Plat received January 13, 2015 for the above referenced project. Based on our review of the project referenced above, all prior comments have been addressed and no further comments are offered.

Please contact me at 515.251.2564 if you have questions or comments.

Sincerely,

**Foth Infrastructure & Environment, LLC**

A handwritten signature in blue ink, appearing to read "Joshua C. DeBower".

Joshua C. DeBower  
*Project Civil Engineer*

jcd:mms3

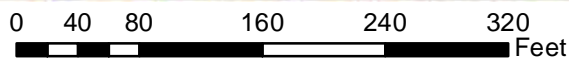


# The Gardens Plat 1 Vicinity Map



Merle Hay Road

NW 57th Avenue





# THE GARDENS IN JOHNSTON PLAT 1 FINAL PLAT

CITY OF JOHNSTON  
COMMUNITY DEV. DEPT.

DATE REC'D: 2-18-15

CASE NO.: PZ 15-49

REVISION	DATE	BY
1	02/18/15 AWS	
2	07/17/15 AWS	

MARK	TLC	Checked By:	BKC	Date:	12-05-14	Field Bk:	
Engineer:	AWS	Scale:	1"=40'	Project No.:	1140776	Sheet	1 of 1

JOHNSTON, IOWA  
2727 S.W. SNYDER BLVD.  
ANKENY, IOWA 50023  
515-964-2020 | www.snyder-associates.com

**THE GARDENS IN JOHNSTON PLAT 1**  
**FINAL PLAT**  
**SNYDER & ASSOCIATES, INC.**

Project No: 1140776  
Sheet 1 of 1

### PROPERTY DESCRIPTION

A PART OF LOTS 9, 10 AND 11 OF FRUITLAND, AN OFFICIAL PLAT, NOW INCLUDED IN AND FORMING A PART OF THE CITY OF JOHNSTON, POLK COUNTY, IOWA AND DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF SAID LOT 11; THENCE NORTH 89° 14' 55" EAST ALONG THE NORTH LINE OF SAID LOT 11, A DISTANCE OF 76.50 FEET TO THE NORTHEAST CORNER OF SAID LOT 11; THENCE SOUTH 24° 07' 37" EAST ALONG THE EAST LINE OF SAID LOT 11, A DISTANCE OF 99.14 FEET; THENCE SOUTH 89° 14' 55" WEST 117.08 FEET TO THE WEST LINE OF SAID LOT 11; THENCE SOUTH 00° 02' 05" WEST ALONG THE WEST LINE OF SAID LOT 11, A DISTANCE OF 352.76 FEET TO THE NORTHEAST CORNER OF THE EAST 100 FEET OF THE SOUTH 200 FEET OF SAID LOT 10; THENCE SOUTH 89° 57' 55" WEST ALONG THE NORTH LINE OF SAID EAST 100 FEET OF THE SOUTH 200 FEET OF LOT 10, A DISTANCE OF 99.92 FEET TO THE NORTHWEST CORNER OF SAID EAST 100 FEET OF THE SOUTH 200 FEET OF LOT 10; THENCE SOUTH 00° 06' 08" WEST ALONG THE WEST LINE OF SAID EAST 100 FEET OF THE SOUTH 200 FEET OF LOT 10, A DISTANCE OF 200.11 FEET TO THE SOUTHWEST CORNER OF SAID EAST 100 FEET OF THE SOUTH 200 FEET OF LOT 10; THENCE SOUTH 89° 35' 05" WEST ALONG THE SOUTH LINE OF SAID LOT 10 AND LOT 9, A DISTANCE OF 187.83 FEET; THENCE SOUTH 23° 27' WEST CONTINUING ALONG SAID SOUTH LINE OF LOT 9, A DISTANCE OF 244.83 FEET TO THE EAST RIGHT-OF-WAY LINE OF MERLE HAY ROAD; THENCE NORTH 00° 03' 26" EAST ALONG SAID EAST RIGHT-OF-WAY LINE, 342.94 FEET TO THE SOUTH LINE OF THE NORTH 300 FEET OF SAID LOT 9; THENCE NORTH 89° 19' 00" EAST ALONG THE SOUTH LINE OF THE NORTH 300 FEET OF LOT 9, A DISTANCE OF 244.88 FEET; THENCE NORTH 00° 03' 56" EAST, 300.18 FEET TO THE NORTH LINE OF SAID LOT 9; THENCE NORTH 89° 14' 55" EAST ALONG THE NORTH LINE OF SAID LOT 9 AND LOT 10, A DISTANCE OF 287.64 FEET TO THE POINT OF BEGINNING AND CONTAINING 5.93 ACRES (258,149 S.F.).

PROPERTY SUBJECT TO ANY AND ALL EASEMENT OF RECORD.

### OWNER

LOT 1  
JOHNSTON COMMERCIAL PLAZA  
10604 NW 75TH PLACE  
GRIMES, IA 50111  
CONTACT: JOHN LARSON

LOT 2  
IOWA HERITAGE VILLAGE LLC  
10504 NW 75TH PLACE  
GRIMES, IA 50111  
CONTACT: JOHN LARSON

### ZONING

IOWA HERITAGE VILLAGE PUD  
ORDINANCE NO 874  
APPROVED: DECEMBER 17, 2012  
PARCEL A - LOT 1  
PARCEL B - LOT 2

### BULK REGULATIONS

LOT 1  
MINIMUM LOT AREA = 20,000 SF  
MINIMUM LOT WIDTH = 100'  
FRONT YARD SETBACK = 30'  
SIDE YARD SETBACK (MIN) = 10'  
SIDE YARD SETBACK (SUM) = 20'  
REAR YARD SETBACK = 35'  
GARAGE SETBACK = 10'

LOT 2  
MINIMUM LOT AREA = 80,000 SF  
MINIMUM LOT WIDTH = 180'  
FRONT YARD SETBACK = 35'  
SIDE YARD SETBACK (MIN) = 35'  
SIDE YARD SETBACK (SUM) = 70'  
REAR YARD SETBACK = 35'  
GARAGE SETBACK = 10'

### APPLICANT

IOWA HERITAGE VILLAGE LLC  
10604 NW 75TH PLACE  
GRIMES, IA 50111  
CONTACT: JOHN LARSON  
PHONE: (515) 491-4090

### SURVEYOR

SNYDER & ASSOCIATES, INC.  
2727 SW SNYDER BLVD.  
ANKENY, IOWA 50023  
(515) 964-2020  
TERRY COADY  
tcoady@snyder-associates.com

### FEMA FIRM DESIGNATION

ZONE X - DETERMINED TO BE OUTSIDE  
500-YEAR FLOOD PLAIN  
PANEL #190745 0006 D

### DATE OF SURVEY

SEPTEMBER 3, 2014

### NOTE

STREET LOT A SHALL BE DEEDED TO THE CITY OF JOHNSTON.

### BENCHMARKS

- FND CUT "X" AT NE QUADRANT OF NW 57TH AND MERLE HAY ROAD, NORTH SIDE OF SIDEWALK. ELEV=829.64
- SET RAILROAD SPIKE IN POWER POLE AT NORTH SIDE NW 57TH AVENUE BETWEEN HOUSES 5685 AND 5705. ELEV=828.33

### MINIMUM PROTECTION ELEVATIONS (MPE)

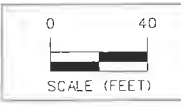
APARTMENT BUILDING 1 - 827.75  
APARTMENT BUILDING 2 - 828.50  
APARTMENT BUILDING 3 - 828.50

### DETENTION BASIN CRITICAL OVERFLOW ELEVATION

NORTH BASIN - 827.50  
SOUTH BASIN - 826.75

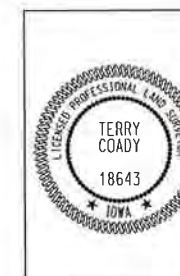
### CURVE TABLE

CURVE NO.	DELTA	RADIUS	ARC LENGTH	TANGENT	CHORD BEARING/DISTANCE
A-1	90° 39' 59" RT	25.00'	39.56'	25.29'	N 45° 16' 34" W 35.56'

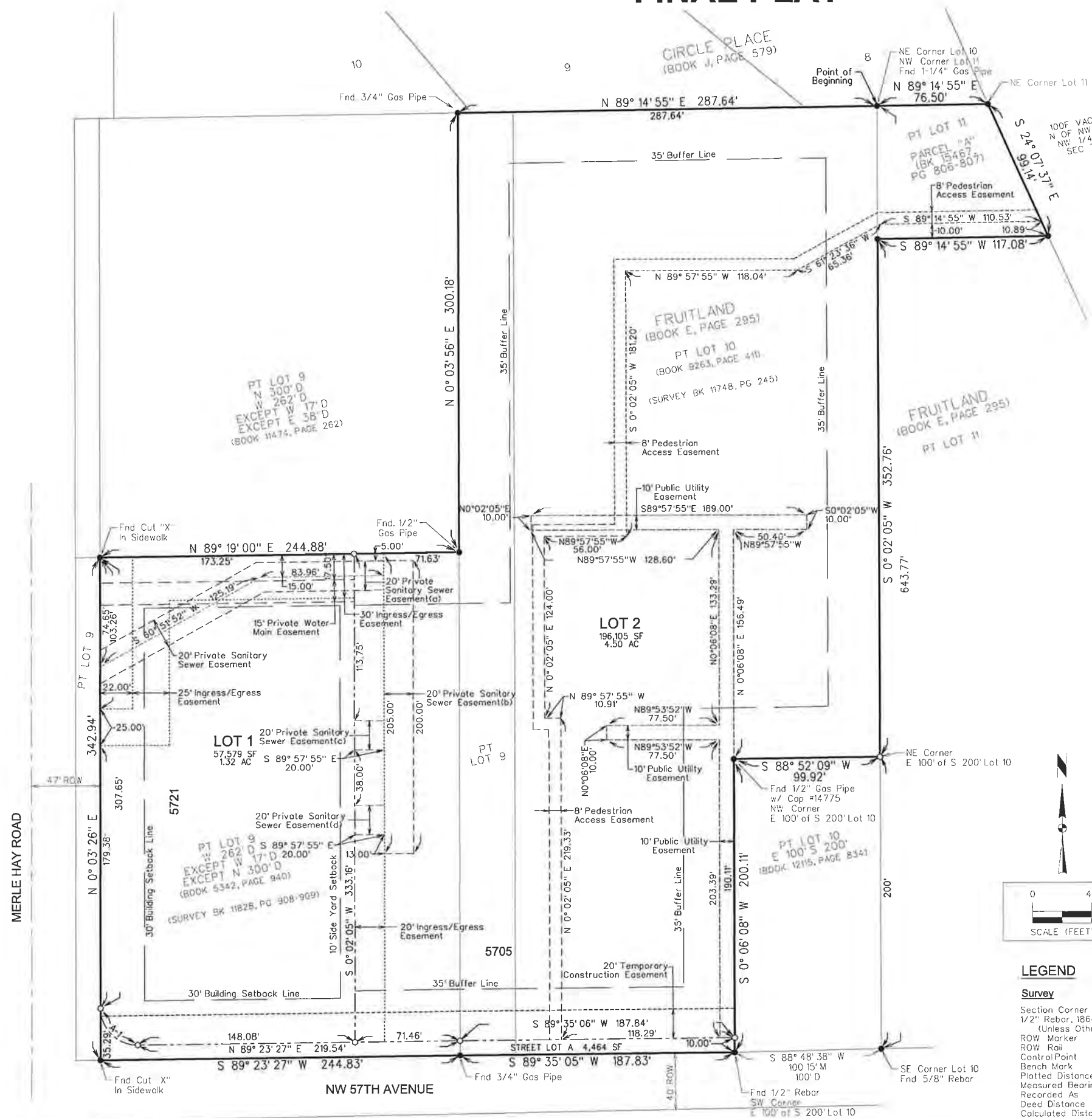


### LEGEND

Survey	Found	Set
Section Corner	▲	△
1/2" Rebar, 18643 (Unless Otherwise Noted)	●	○
ROW Marker	■	□
Control Point	●	□
Bench Mark	●	□
Plotted Distance	P	
Measured Bearing & Distance	M	
Recorded As	R	
Deed Distance	D	
Calculated Distance	C	
Minimum Protection Elevation	MPE	



I hereby certify that this land surveying document was prepared and the related survey work was performed by me or under my direct personal supervision and that I am a duly licensed Professional Land Surveyor under the laws of the State of Iowa.  
*Terry Coady* 2-18-2015  
T. Coady S Date  
License Number 18643  
My License Renewal Date is December 31, 2015  
Pages or sheets covered by this seal:  
Sheet 1



I:\Projects\150726\150726.dwg  
 2/18/15 10:00 AM  
 T:\Users\james.villack\My Documents\150726.dwg  
 2/18/15 10:00 AM