



OVERLAY DESCRIPTION

The Merle Hay Road Town Square Overlay Zoning District is established to help create the town square envisioned by the City of Johnston's Comprehensive Plan and detailed in the Merle Hay Road Redevelopment Plan. The northeast corner of Merle Hay Road and NW 62nd Street has long been considered as an opportunity site to create a central focus point for the Johnston community. The Overlay District establishes this area as a future town square that can accommodate a mix of retail and residential uses along with activated public gathering spaces.

APPLICATION + INTENT

These Design Guidelines shall apply to all development within the Merle Hay Road Town Square Overlay Zoning District and are in addition to the regulations contained within the City Zoning and Subdivision Regulations. The intent of this new overlay district is to provide a uniform and enhanced set of design standards that are above and beyond the base standards found within the City's current regulations. When a standard or code requirement is not covered by this overlay, the regulations contained elsewhere within City Code, the Zoning Ordinance, and specifically within the regulations for the underlying zoning district for which the property is zoned shall apply. Where a conflict should arise between Zoning Ordinance and these Guidelines, the requirements of these Guidelines shall prevail. The final determination as to compliance with the provisions contained herein shall rest with the City Council.



FIGURE 1.1 MERLE HAY ROAD ROAD TOWN SQUARE OVERLAY ZONING DISTRICT BOUNDARY

PERMITTED USES

Except for those uses excluded or limited herein below, all uses Permitted, permitted as a Special Use Permit, permitted as an Accessory Use, and permitted subject to Site Plan Review approval in the underlying zoning district for which each property within the Overlay District is zoned shall be permitted to same level and limitation.

The following are the preferred and intended uses within this Overlay District:

- Apartments and condominiums - upper level use as part of a mixed-use building only.
- Civic uses such as a community center, city hall, and park space.
- Green houses, gardens, and orchards – may be permitted within the eastern one-third (1/3) of the Overlay District and no closer than 30 ft from any street right-of-way line.
- Grocery stores.
- ~~Small~~, boutique hotels - defined as a small stylish, upscale hotel with 50 or fewer guest rooms.
- Micro-breweries and micro-distilleries with on-site tasting and sales.
- Professional offices ~~cannot be located on the first floor of any building facing and fronting along Merle Hay Road.~~
- Restaurants, coffee shops, and bars with outdoor patios and seating.
- Specialty retail stores.
- Wine and beer sales and tasting.

ADD "AND SHALL BE CONSIDERED PERMITTED USES"

ADD:
* FIRST-FLOOR PROFESSIONAL OFFICES FRONTING MERLE HAY ROAD - NO MORE THAN ONE (1) PER BUILDING AND NO MORE THAN A TOTAL OF TWO (2) BUILDINGS ALONG THE MERLE HAY ROAD FRONTAGE.

The following uses may be appropriate subject to certain limitations and approval of a Special Use Permit by the Board of Adjustment in accordance with Chapter 172 of the City Zoning Regulations:

- Body art establishments – no more than one (1) per building and no more than a total of two (2) permitted within the Overlay District.
- Drive-thru and drive-up facilities – no more than a total of two (2) uses with drive-thru or drive-up facilities permitted within the Overlay District.
- Smoking lounges and Hookah lounges – no more than one (1) per building and no more than a total of two (2) permitted within the Overlay District.
- Townhomes, rowhouses, and apartments – may be permitted within the eastern one-half (1/2) of the Overlay District if part of a planned development.

ADD
"APPROXIMATELY 50 TO 100+"

ADD "DETACHED GARAGES - THIS DOES NOT INCLUDE PARKING RAMPS AND STAND-ALONE PARKING STRUCTURES."

ADD "(INCLUDING HEALTHCARE USES), ARE PERMITTED, EXCEPT FOR FIRST-FLOOR PROFESSIONAL OFFICES FOR BUILDINGS FRONTING MERLE HAY ROAD. FIRST FLOOR PROFESSIONAL OFFICES MAY BE PERMITTED SUBJECT TO CERTAIN LIMITATIONS AND APPROVAL OF A SPECIAL USE PERMIT."

The following uses as listed below are considered incompatible with the vision, goals, and intent of the Overlay District and are prohibited:

- ~~Accessory and detached or stand-alone garages.~~
- Adult entertainment businesses.
- After Hours Business including any business open anytime between the hours of two o'clock (2:00) A.M. to six o'clock (6:00) A.M. any day of the week and where patrons are allowed to bring their own beer and wine onto the business premises.
- All automotive, truck, boat and camper oriented uses including sales, repair, and parts.
- Convenience stores, gas stations, and car washes.
- Pawnshops.
- Liquor stores, tobacco shops, vape shops, and any business with fifty percent (50%) or more of its gross sales in alcohol, tobacco products, and/or nicotine products. This definition does not include beer and/or wine shops that sell no liquor, tobacco, or nicotine products.
- Delayed deposit credit institutions (payday loan, check cashing, car title loan establishments).
- Manufactured home park.
- Single family residential uses including single family detached homes and bi-attached homes or duplexes.
- Rooming and boarding houses.
- Self-storage facilities.
- ~~Stand-alone structured parking, parking ramps, and detached garages. Garages and structured parking contained within and or physically attached to a permitted principal structure may be permitted.~~



FIGURE 2.1 ARCHITECTURAL CONCRETE PANELS EXAMPLE



FIGURE 2.2 BURNISHED BLOCK EXAMPLE



FIGURE 2.3 SPLIT-FACE BLOCK EXAMPLE

DEFINITIONS

ARCHITECTURAL (PRECAST) CONCRETE PANELS

A precast concrete wall panel that is designed and engineered to transfer shear, support floor and roof loads as well as offer a wide range of architectural exterior finishes. Architectural precast panels have the highest quality concrete finish and very often are integrally colored in the plant to match other building exterior finish materials.

BURNISHED BLOCK

A concrete masonry unit (CMU) whose display face has been burnished (polished) to expose the natural colors and shapes of the aggregates within the block. Burnishing yields a higher quality finish characterized by increased coloration and subtle variation in hue and tone. Burnished surfaces are coated with a clear sealer to achieve a high-resolution finish.

EXTERIOR INSULATION AND FINISH SYSTEM (EIFS)

An exterior finish for a building composed of polystyrene foam covered with a synthetic stucco (in contrast to traditional, cement-based stucco). Water-Managed EIFS, also known as EIFS with drainage, refers to EIFS that includes a drainage plane or drainage layer that provides a way for moisture to evacuate from the wall cavity.

FAÇADE

Any exterior face of a building. The primary façade (front façade) is designated by its relationship to the street; the main entry to the building shall be located in the primary façade. Side and rear facades may be classified as secondary facades.

ADD:
ARCHITECTURAL GRADE COMMERCIAL USE CEMENTITIOUS PANEL

A RAINSCREEN SYSTEM COMPOSED OF HIGH-QUALITY FIBER CEMENT PANEL CONSTRUCTED OF HIGH-PERFORMANCE CONCRETE REINFORCED WITH GLASS FIBER. BRAND NAMES INCLUDE, BUT ARE NOT LIMITED TO, TAKTL AND SWISSPEARL.

FAÇADE AREA

Is the total exterior wall area of all vertical or near-vertical faces of a building four (4) feet in width or greater when viewed in elevation. Façade area shall be calculated to exclude the wall area resulting from minor projections and recessions from the predominant wall plane less than four (4) feet in depth. Façade area shall be calculated to include the area of parapets, cornices, and similar wall extensions and trim.

FENESTRATIONS

The design, construction, or presence of openings in a building. Includes windows, doors, louvers, vents, wall panels, skylights, storefront, curtain walls, and slope glazed systems. From the Latin word fenestra ("window").

FIBER CEMENT

A composite building material made of sand, cement, and cellulose fibers. Most commonly used in siding applications where quality, longevity and durability are required.

SPLIT-FACE BLOCK

A solid or hollow concrete masonry unit, split lengthwise after curing; laid with the fractured surface exposed, so as to provide a rough texture.

ADD:
FRANCHISE ARCHITECTURE
ANY ARCHITECTURAL DESIGN WHICH IS PROTOTYPICAL OR IDENTIFIABLE WITH A NATIONAL OR REGIONAL RETAILER OR CORPORATION AND INCLUDES SPECIFIC ICONOGRAPHIC AND ARCHITECTURAL ELEMENTS THAT ARE REPEATED IN EACH FRANCHISE LOCATION.

PRIMARY MATERIALS
MATERIALS COVERING AT LEAST FIVE PERCENT (5%) OF A BUILDING FAÇADE AREA. A MATERIAL THAT COVERS LESS THAN FIVE PERCENT (5%) OF A BUILDING FAÇADE CANNOT BE COUNTED AS A PRIMARY MATERIAL.

BUILDING DESIGN STANDARDS

MASSING, PROPORTIONS, AND ENTRYWAYS

All building shall be designed so as to have a visually distinct top, middle and bottom and shall further be designed in such a way as to be pedestrian friendly while promoting and enhancing a sense of place and activity along all street frontages and building entryways. Buildings are encouraged to multi-story (2 to ~~3~~ stories in height); however, buildings should not exceed ~~three (3)~~ stories in height and single-story buildings should include roof-top outdoor seating/gathering space when possible.

four (4)

The ground level of any multi-story building shall be visually differentiated from any upper story through the use of architectural features including intermediate cornice lines, sign bands (friezes), awnings, porticos, and/or changes in building materials and/or window shapes and sizes.

All major building entries shall be designed with pedestrian scaled elements, such as canopies, awnings, porticos, recessed entry vestibules, that make those entries readily identifiable and welcoming. Buildings are encouraged to have multiple entry points and entryways should be provided along the building frontage along all major pedestrian travel paths.

Residential dwelling units should be served by common entrances and a shared internal hallway, and shall not have individual exterior entry points, excluding enclosed private patio areas and balconies. All stairways shall be fully enclosed and exterior elevated walkways are prohibited.



ARCHITECTURAL SCREENING

Screening elements shall be required to obscure the view of all building appurtenances, listed below, from any adjoining property and all public and private streets:

- Rooftop HVAC and other mechanical equipment, vents, pipes, and exhaust fans
- Roof access ladders and walkways
- Ground-mounted HVAC and other mechanical equipment
- Utility meters
- Utility conduits, pipes, and cables
- Outdoor storage areas
- Loading areas, loading docks and dock doors
- Areas and equipment for the storage, collection and compaction of refuse and recyclables

Screening shall be consistent with the overall design of the building utilizing the same materials and detailing wherever practical. Care should be taken to consider the views from other buildings that may overlook or look down on the roof and building.



FENESTRATIONS (WINDOWS + DOORS)

All street facing building façades and façades containing the main building entry, if different from the street façade, shall consist of no less than ~~forty percent (40%)~~ clear glass windows and clear, ~~full glass doors~~ on the first level.

FULL LIGHT
GLASS DOORS

THIRTY-FIVE PERCENT (35%)





CLASS 1

CLASS 2

EXTERIOR FINISH MATERIALS

The following exterior building materials requirements shall apply to all new buildings and building additions or expansion constructed within this overlay district. Acceptable, quality building materials shall generally be categorized as high-quality and standard-quality. Materials shall be divided into four (4) classes where Class A and Class B shall be considered high-quality and Class C shall be considered standard. Class D shall be considered lower-cost and trim grade material.

Materials are described as follows:

CLASS 1 MATERIALS (VERY HIGH-QUALITY)

- Fired clay brick, full-veneer masonry wall system
- Natural stone, full-veneer masonry wall system
- Glass, curtain wall and/or glass cladding system (clear glass with no tint, color, or reflective mirror type coating)
- Other comparable or superior materials

CLASS 2 MATERIALS (HIGH-QUALITY)

- Thin veneer fired clay brick (adhered)
- Manufactured or cast stone (adhered)
- Other comparable or superior materials

CLASS 3 MATERIALS (STANDARD QUALITY)

- Textured architectural concrete panels (integrally colored – not painted)
- Masonry stucco, traditionally applied
- Specialty concrete block such as textured, burnished block or split-face block, or concrete brick (integrally colored – not painted)
- Fiber-cement panel systems
- Decorative opaque panels designed as exterior building finish
- ~~Metal wall panel systems, insulated or rain screen assemblies with hidden fasteners (this definition does not include metal siding and corrugated or ribbed metal sheets of any type)~~
- Other comparable or superior materials

CLASS 4 MATERIALS (LOWER-COST AND TRIM GRADE MATERIAL)

- Fiber-cement siding and trim
- Vinyl siding or panels, irrespective of form or thickness
- Water-managed Exterior Insulation and Finish System (EIFS)

- Smooth or scored concrete block
- Smooth concrete tilt-up panel systems
- ~~Translucent wall panel systems (Kalwall)~~
- Ceramic
- Glass block
- ~~Wood~~
- Other comparable or superior materials

WOOD (PAINTED)

All buildings constructed in this overlay district must use at least three (3) Class 1 or Class 2 materials as primary materials together composing at least eighty percent (80%) of each building façade area. Class 3 materials shall not exceed twenty percent (20%) of each façade area. Class 4 materials may be utilized as trim elements and shall not exceed five percent (5%) of each façade area.

Primary materials is defined as materials covering at least five percent (5%) of a building façade area. A material that covers less than five percent (5%) of a building facade cannot be counted as a primary material.

A distinctly different color of fired clay brick (full brick or brick veneer) may be considered as an additional Class 1 or Class 2 material for the purposes of meeting the requirement that three (3) different Class 1 and Class 2 materials must be used on each façade as primary materials.

Brick and stone exterior finishes shall not be painted.

METAL WALL PANEL (STANDARD)

TRANSLUCENT WALL PANEL SYSTEMS (KALWALL)

Thin veneer fired clay brick, when utilized, shall comply with the following:

- (1.) Thin brick will only be used in applications where the actual brick thickness will not be distinguishable or is otherwise addressed by adjustments in the wall plane to provide the appearance of full depth brick;
- (2.) Only fired-clay thin brick units will be used and no concrete based thin brick units or brick panels will be used;
- (3.) 'L' shaped brick corner pieces and full-depth brick caps will be utilized at all corners and edges to maintain the appearance of full-depth brick; and,
- (4.) The thin brick units will be individually applied and brick tile or brick panel installation systems will not be used.

No EIFS or translucent wall panel shall be permitted within the lower three (3) feet of any building wall façade.

TRIM

Except where architecturally unsuitable, appropriately-scaled trim detailing of at least three (3) inches in width shall be included around all window and door openings, building corners, roof lines, and façade material transitions.

ADD "FOR MODERN AND CONTEMPORARY STYLE BUILDINGS"

ROOFING MATERIALS AND AWNINGS

When appropriate for the ~~building design~~, the use of standing seam metal roofing, ~~architectural grade~~ metal roofing shingles, and other ~~architectural~~ metal roofing panel systems are encouraged. Asphalt shingles, corrugated or ribbed metal sheets, and similar lower quality roofing materials are not permitted.

ADD "PERMANENT"

Awnings should be constructed of durable materials such as metal. ~~Fabric or Vinyl covered awnings shall not be permitted.~~

TEMPORARY AND SEASONAL AWNINGS, TABLE UMBRELLAS, SUNSHADES, AND SIMILAR COVERS MAY BE CONSTRUCTED OF EXTERIOR GRADE FABRICS.

DO'S



FIGURE 2.4 THIN BRICK APPLICATION GOOD EXAMPLE

DO NOT'S



FIGURE 2.6 THIN BRICK APPLICATION BAD EXAMPLE

BUILDINGS DESIGNED WITH PITCHED ROOFS



FIGURE 2.5 BUILDING WITH SUITABLE TRIM EXAMPLE



FIGURE 2.7 BUILDING WITH INSUFFICIENT TRIM

SETBACK + BULK REGULATIONS

Minimum Lot Area

20,000 square feet, unless part of a planned development in which case no minimum lot area or lot size is required.

Front Yard Setback:

~~15 feet~~ ← 15-FEET, OR ZERO (0) FEET IF AN INTERNAL PROPERTY LINE THAT IS PART OF A PLANNED DEVELOPMENT.

Side Yard Setback:

~~20 feet, or zero (0) feet if an internal property line that is part of a planned development~~ ← 20-FEET

Rear Yard Setback:

~~50 feet, or zero (0) feet if an internal property line that is part of a planned development~~ ← 35-FEET

Building Height:

~~Maximum of three (3) stories but in no case taller than 50 feet~~ ←

Site and Building Density:

No maximum floor area ratio or dwelling unit limit has been established by this Overlay District. The size and density of this area will be limited by the required building setback, maximum height, minimum open space, and parking.

ADD:
ACCESSORY STRUCTURE SETBACK:
NOT PERMITTED WITHIN THE FRONT YARD AREA.
SIDE AND REAR YARD SETBACK 5-FEET, OR ZERO (0) FEET IF AN INTERNAL PROPERTY LINE THAT IS PART OF A PLANNED DEVELOPMENT.

ADD:
ACCESSORY STRUCTURE SIZE:
MAXIMUM OF TWENTY (20) FEET IN HEIGHT AND NO GREATER THAN 2,500 SQUARE FEET.

MAXIMUM OF FOUR (4) STORIES,
BUT IN NO CASE TALLER THAN SIXTY (60) FEET.

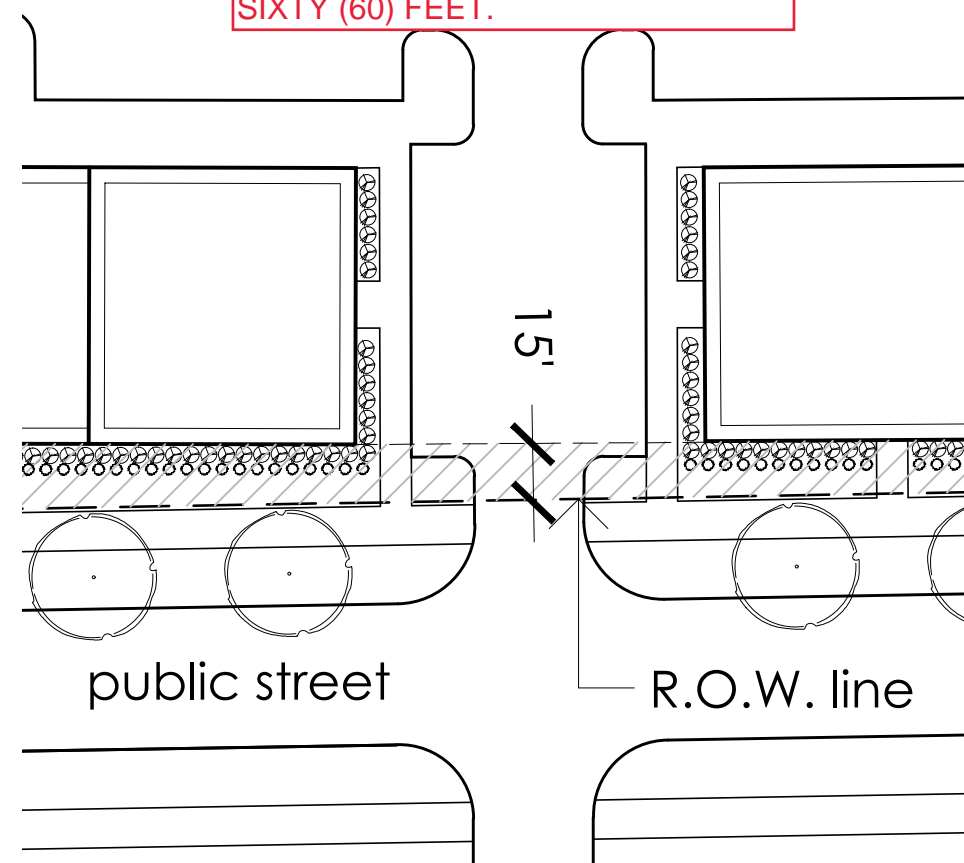


FIGURE 3.1 SETBACK REGULATION DIAGRAM

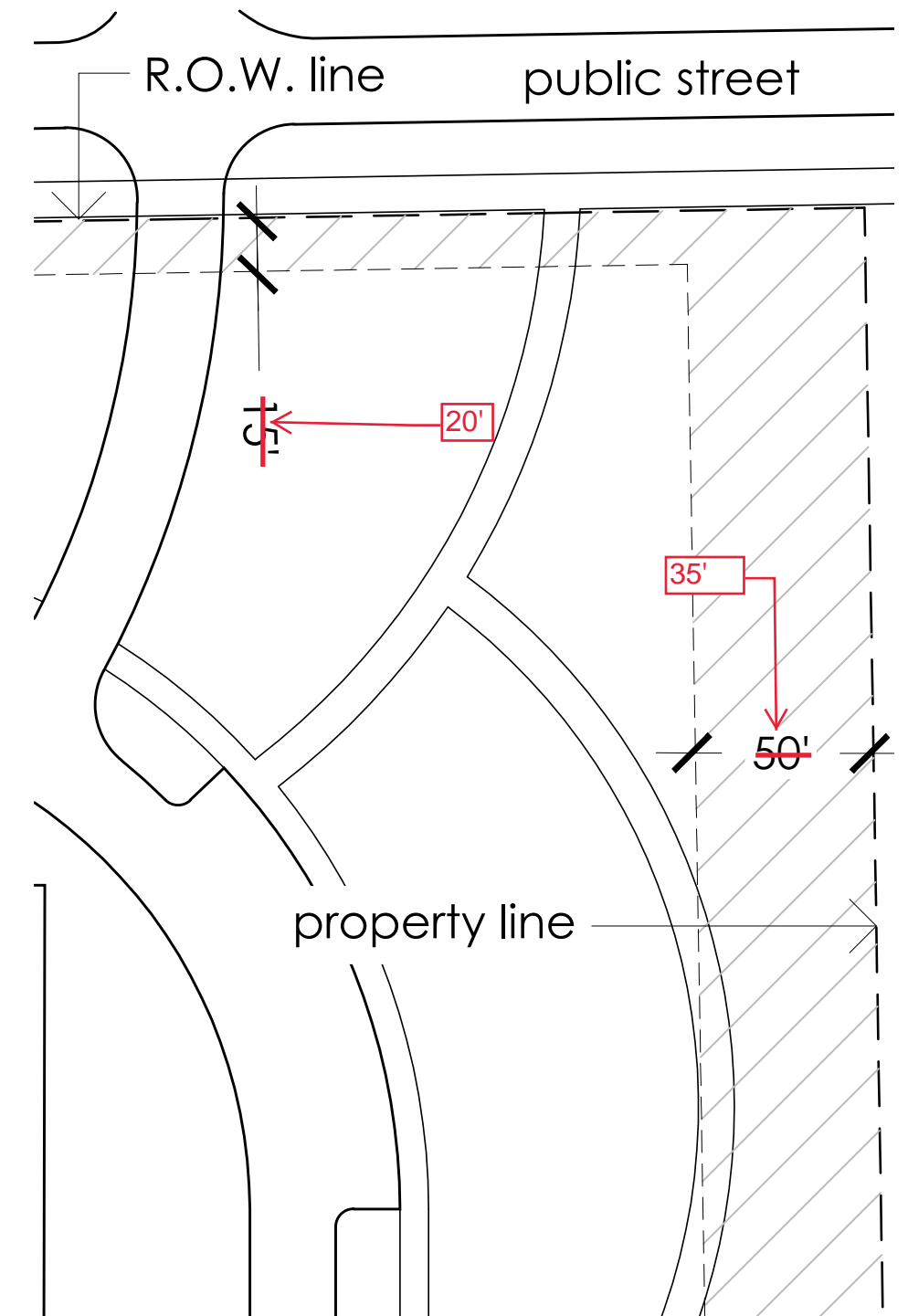


FIGURE 3.2 50 FT SETBACK DIAGRAM

OPEN SPACE LANDSCAPING

All areas not covered by building or paving shall be landscaped with turf grass, prairie grass, plant beds, shrubs, and trees.

Minimum Planting Requirements

~~Two (2) trees shall be planted per 1,500 square feet of required open space and one (1) shrub shall be planted per 1,000 square feet of required open space. This landscaping is in addition to landscaping required for building foundation plantings, parking lot landscaping, and streetscape landscaping.~~ At a minimum, fifty percent (50%) of the required trees shall be overstory type and fifteen percent (15%) of the required trees shall be evergreen type. The balance of the required trees may be understory type.

ONE (1) TREE AND ONE (1) SHRUB

ADD "REQUIRED OFF-STREET PARKING LANDSCAPING MAY COUNT TOWARD THE OPEN SPACE REQUIREMENT"

PERMANENT BUFFER, STREETSCAPE, AND BUILDING FOUNDATION PLANTINGS.





DO'S



FIGURE 3.3 HIGH QUALITY WOOD MULCH

DO NOT'S



FIGURE 3.4 ROCK MULCH

WOOD MULCH AND INORGANIC GROUND COVER

ADD "OR MINERAL BASED"

Wood based mulch shall be used around all plantings and in all plant beds. Large areas of wood mulch that do not contain plantings shall not be permitted except when used around play structures. ~~In organic ground cover material, including rock, chip brick, and synthetic turf, is prohibited except in extremely limited applications as may be deemed acceptable by the City.~~

INORGANIC WASHED MINERAL MULCH, FREE FROM FINES AND DUST, INCLUDING CRUSHED LIMESTONE, GRANITE, BASALT, AND DECOMPOSED GRAVEL MAY BE USED IN PLANTING BEDS. INORGANIC MATERIALS OTHER THAN THOSE LISTED AS ACCEPTABLE ARE PROHIBITED.

ADD:
PLANTING BEDS SHALL CONTAIN A MINIMUM 75% OF LIVING MATERIAL, AS MEASURED USING THE CANOPY OF THE SHRUB AND PERENNIAL/GRASS MATERIALS, WITH A MAXIMUM OF 25% NON-LIVING LANDSCAPE MATERIAL (E.G. BOULDERS AND FURNISHINGS). SIDEWALKS, PUBLIC ART AND MINERAL MULCH DO NOT COUNT TOWARD THIS PERCENTAGE.

BUILDING FOUNDATION PLANTINGS

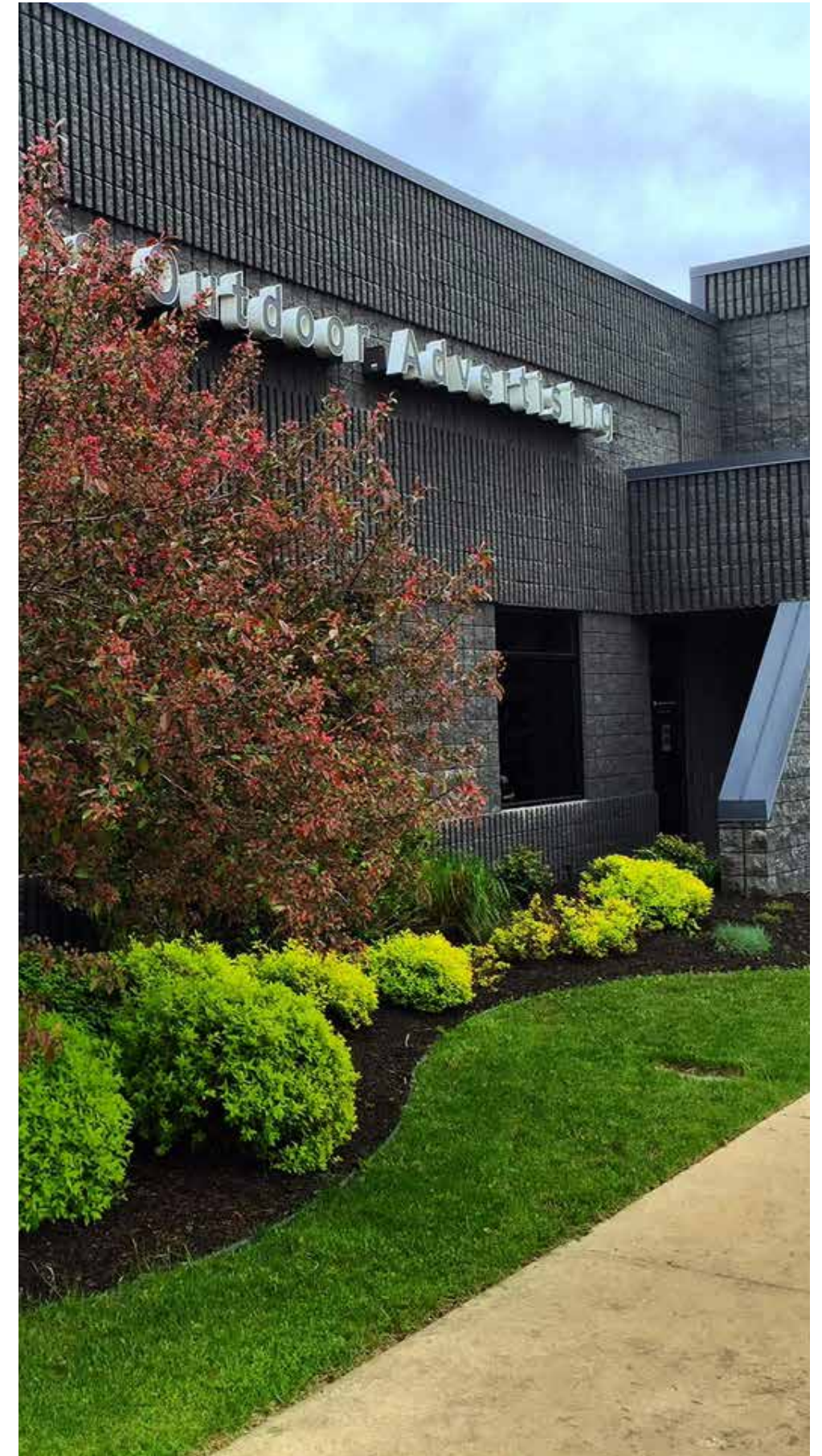
Low height plant materials (shrubs, ornamental grasses, perennials) shall be planted and maintained along all building foundation lines where not impeded by building entrances, loading areas and sidewalks. Foundation plant materials shall not count towards the fulfillment of the required open space landscaping.

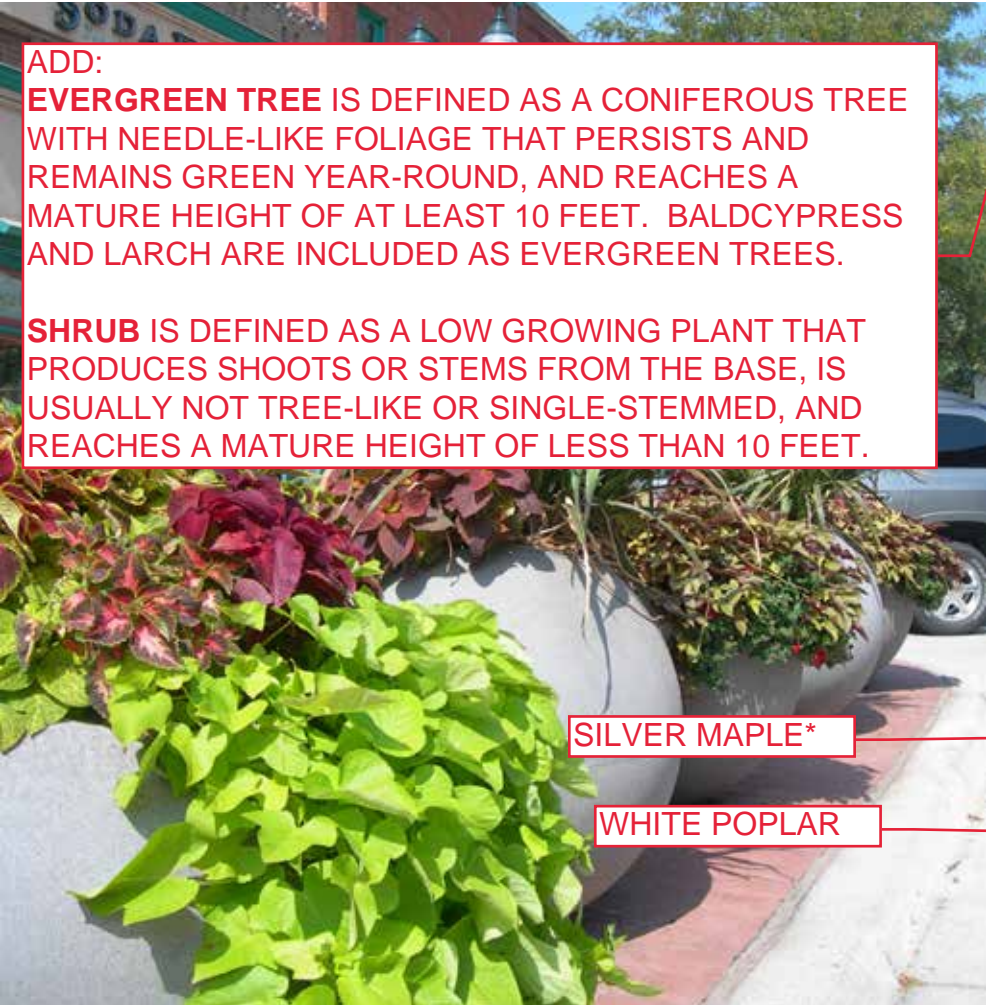


ADD:

AT LEAST FIFTY PERCENT (50% OF THE BUILDING FRANTAGE (AS MEASURED BY LINEAR FEET OF THE BUILDING FACE) SHOULD INCLUDE A THREE (3) FOOT WIDE MINIMUM FOUNDATION PLANTING IN AT LEAST TWO (2) SEPERATE BEDS. ADDITIONAL REQUIREMENTS FOR FOUNDATION PLANTINGS INCLUDE:

- * 75% MINIMUM LIVING MATERIAL COVERAGE, AS MEASURED USING THE CANOPY OF THE SHRUB AND PERENNIAL/GRASS MATERIALS.
- * 25% MAXIMUM NON-LIVING MATERIAL SUCH AS BOULDERS AND FURNISHINGS. MINERAL MULCHES DO NOT COUNT TOWARD THIS REQUIREMENT.
- * SOD AND TURF GRASSES ARE NOT AN ACCEPTABLE PLANTING MATERIAL.
- * SPACING OF SHRUBS SHOULD NOT EXCEED FIVE (5) FEET INTERVALS, EXCEPT WHERE OCCUPIED BY AN IMPERVIOUS SURFACE.
- * PROVIDE A MINIMUM TWO (2) FOOT CLEAR SPACE IF BED IS ADJACENT TO A PARKING AREA TO ACCOMMODATE FOR VEHICLE OVERHANG.
- * IF FOUNDATION PLANTING BEDS ARE WIDER THAN FIVE (5) FEET, PROVIDE A TWO (2) FOOT MINIMUM MAINTENANCE BUFFER BETWEEN THE PLANTINGS AND BUILDING FACE.





PLANT MATERIAL STANDARDS

All plants shall be of the type and species appropriate for the climate and location being planted. All plant material shall be commercially produced and meet the minimum standards recognized by landscape professionals. In order to reduce the threat and impact of plant disease, multiple plant types and species shall be utilized on each site. No single tree or shrub species shall make up more than 15% of the total tree or shrub species on a site.

Overstory Tree is defined as a deciduous tree with one vertical stem or trunk which begins branching at a height of six (6) feet or more and has a distinct crown that reaches a mature height of at least 30 feet.

Understory Tree is defined as a deciduous tree (often an ornamental type tree) that reaches a mature height of less than 30 feet.

All plant sizes shall meet the following size requirements:

- Overstory Trees – minimum 2.5-inch caliper.
- Understory Trees – minimum 1.5-inch caliper.
- Evergreen or Coniferous Trees – minimum six (6) feet in height.
- Shrubs – minimum three (3) gallon container.
- Ornamental Grasses – minimum one (1) gallon container.
- Prairie Plantings – Must use at least three (3), but no more than five (5) varieties of short grass prairie species native to Iowa. Can be combined with similar height native wildflowers, but is limited to 10 additional species per development.

The following trees are prohibited:

- All Ash tree varieties
- Birch, White/Paper
- Boxelder
- Cottonwood
- Siberian and Chinese Elms
- Maple, Silver
- Pear (all species/cultivars)
- Poplar (all species/cultivars)
- Russian and Autumn Olive
- Trees with thorns
- Willow

~~Substitutions:~~ ← **SUBSTITUTIONS:****

- One (1) overstory tree may be substituted for 10 required shrubs
- One (1) understory tree may be substituted for five (5) required shrubs

ADD:

- * TWO (2) OVERSTORY TREES MAY BE SUBSTITUTED FOR EACH INCH OF DIAMETER AT BREAST HEIGHT (DBH) OF AN EXISTING TREE OVER A SIX (6) INCH DBH SPECIFIED TO BE PRESERVED AND PROTECTED.
- * ONE (1) OVERSTORY TREE MAY BE SUBSTITUTED FOR EACH INCH OF DIAMETER AT BREAST HEIGHT (DBH) OF AN EXISTING TREE UNDER A SIX (6) INCH DBH SPECIFIED TO BE PRESERVED AND PROTECTED.
- * ONE (1) EVERGREEN TREE MAY BE SUBSTITUTED FOR EACH INCH OF DIAMETER AT BREAST HEIGHT (DBH) OF AN EXISTING TREE OVER A SIX (6) INCH DBH SPECIFIED TO BE PRESERVED AND PROTECTED.

ADD:

* THESE PROHIBITED TREE SPECIES MAY BE ALLOWED IN NATURALIZED AREAS OUT OF POTENTIAL FALL RANGE IN BUILDING, PARKING OR DRIVEWAY AREAS. THE CITY MAY APPROVE DISEASE RESISTANT CULTIVARS AS RESEARCH AND DEVELOPMENT OF SUCH IS TO PROGRESS.

** SUBSTITUTIONS MAY BE COUNTED TO A MAXIMUM OF FIFTY PERCENT (50%) OF REQUIRED PLANTINGS.

PLANT LOCATIONS

All plantings shall comply with the following:

- In general, all plants shall be sited and spaced in a manner to allow for appropriate growth to mature size.
- Trees shall be located no closer than six (6) feet to the back of curb along any driveway and no closer than four (4) feet to the edge of any parking lot, sidewalk or walkway ←
- Landscaping must meet minimum clearances from all fire hydrants and building sprinkler systems as required by the fire department.
- Overstory trees should not be placed within any public sanitary sewer, storm sewer or watermain utility easement.
- No landscaping shall be planted in violation of the City's traffic visibility clearance zone requirements.
- A permit must be obtained prior to planting any street tree or landscape material in the public right-of-way and shall comply with the requirements of City Code Section 150.02.



EQUIPMENT AND REFUSE SCREENING

All ground mounted and all roof-top building HVAC and mechanical equipment, back-up power generators, vents, piping, and utility meters shall be screened from view from adjacent ~~public street and residential property~~. Screening shall be accomplished via a combination of landscaping, walls, and building structure.

Trash Enclosures - All outdoor trash and recycling receptacles, dumpsters, and grease collection containers shall be screened on all sides by the use of a permanent enclosure, with opaque gates for disposal truck access. The enclosure shall be constructed of permanent materials such as textured block, split faced concrete block, brick or stone. Wood or composite material fencing is not an acceptable enclosure. Colors and materials shall be compatible with the dominant architectural materials of buildings on site and shall be integral to a building on site whenever possible. The enclosure shall be located out of public view and constructed to visibly screen the views from the adjoining properties. Landscaping should be included around the enclosure to soften its impact.

Shopping Cart Corrals – Shopping carts must be stored within a building and may not be stored or kept outside after regular business hours or for longer than a 24-hour time period. Outdoor areas (shopping cart corrals) may be designated for the temporary collection of shopping carts. No letters, logos, images, or graphics are permitted on or within the shopping corral. Corrals should consist of decorative wall or fenced enclosures and/or landscaped islands. Prefabricated metal tubing or plastic type shopping corrals shall be prohibited. The location and details for all shopping corral areas shall be provided on the site plan for City review.

PUBLIC STREETS, OPEN SPACE AREAS,
PARKING LOTS AND RESIDENTIAL PROPERTY

ADD "COMMERCIAL GRADE CEMENTITIOUS PANEL, "

ADD "OTHER"

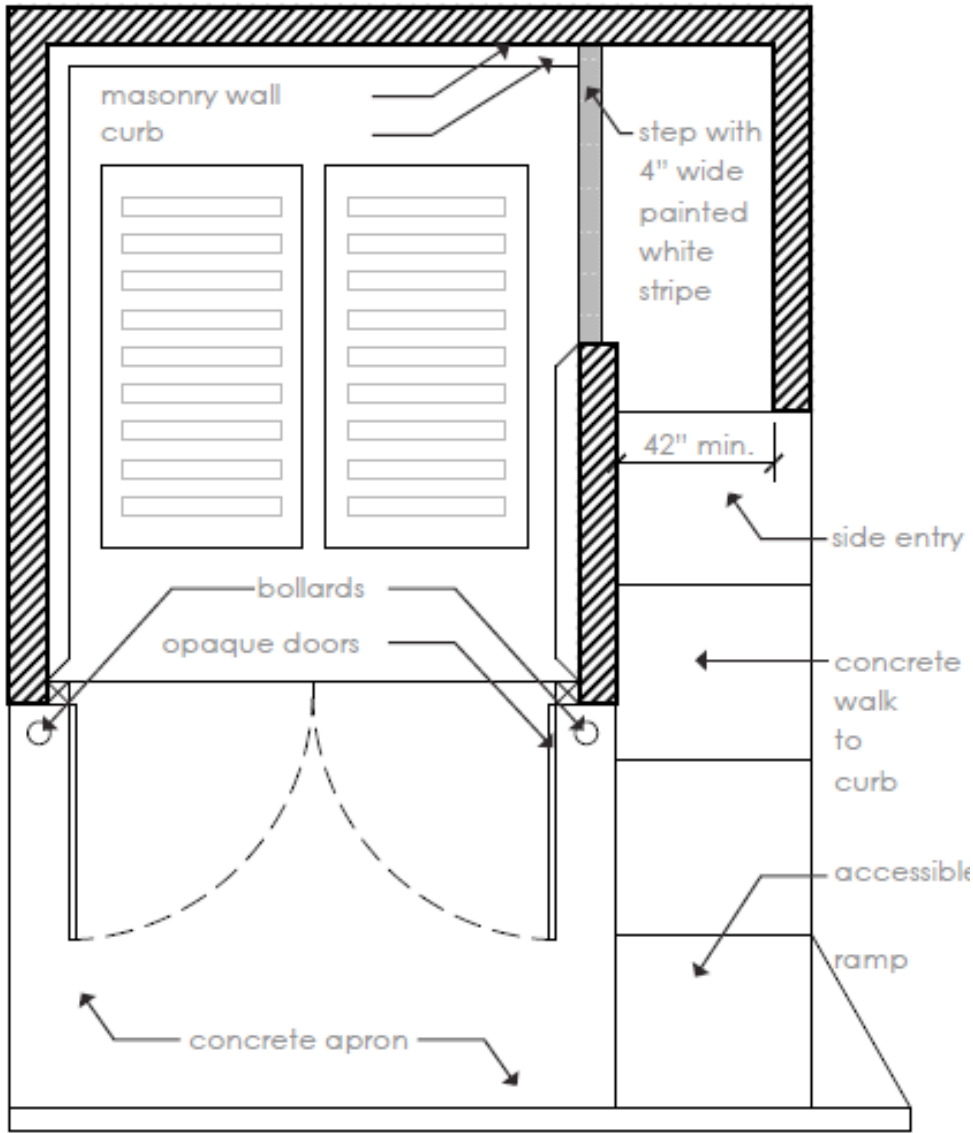


FIGURE 3.5 TRANSH ENCLOSURE EXAMPLE PLAN

DO'S



FIGURE 3.6 ENCLOSED TRASH CONTAINER

DO NOT'S



FIGURE 3.7 EXPOSED UTILITY

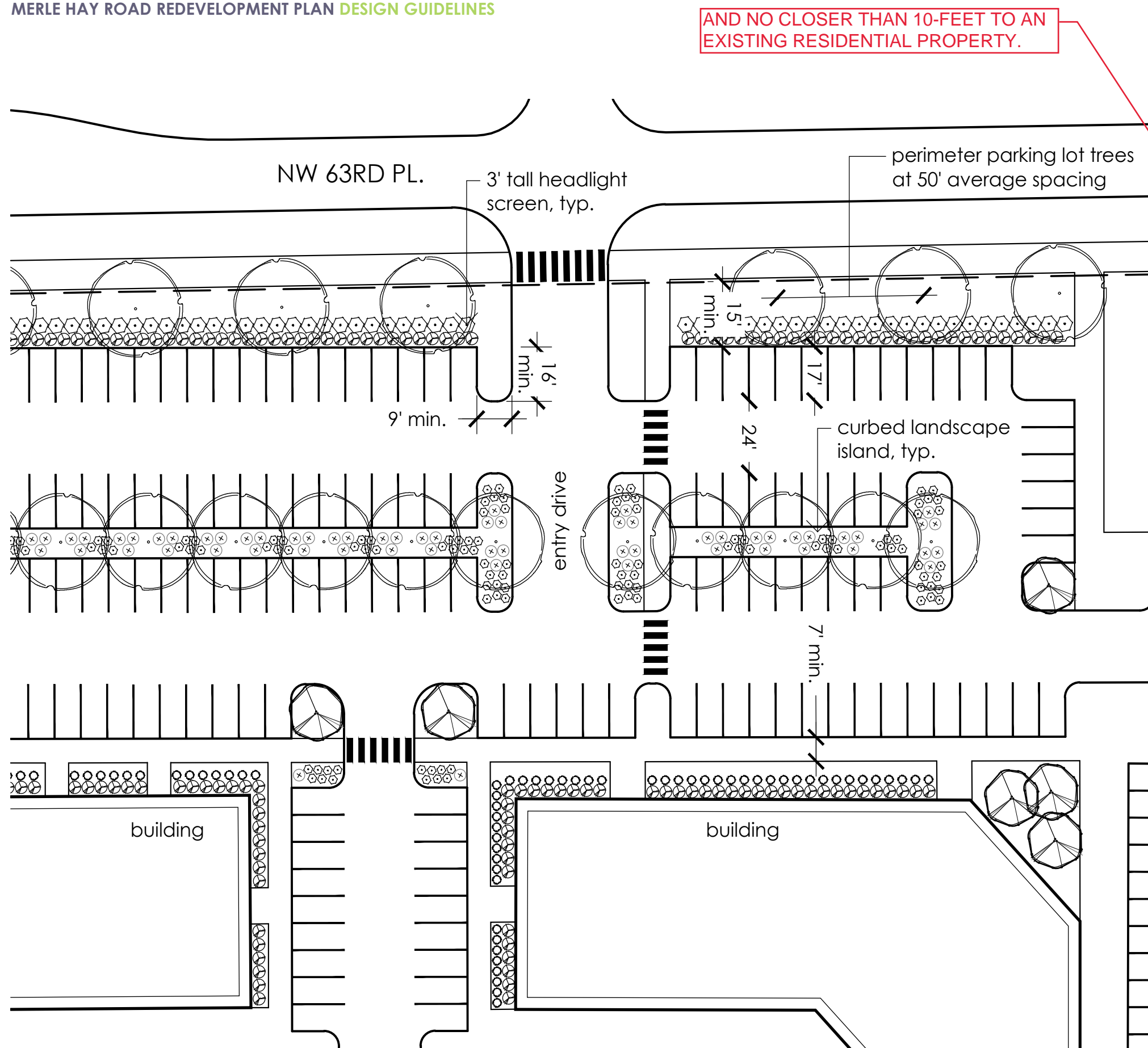


FIGURE 3.8 PARKING LOT LAYOUT DIAGRAM

VEHICLE, BIKE, AND PEDESTRIAN CIRCULATIONS + PARKING

PARKING LOT LAYOUT

Parking lots and loading areas shall not be permitted between principal structures and Merle Hay Road. No off-street parking or loading area shall be located closer than 15 feet to a public street right-of-way line ~~or residentially zoned property~~. No building dock shall be located along or visible from any public street.

All rows of parking shall be terminated with a curbed landscaped island that is a minimum nine (9) feet wide and no less than 16 feet in length.

60 FEET

No off-street parking or loading area shall be more than ~~50 feet~~ from an overstory tree located within a landscaped open space area.

ADD "NON-PARALLEL"

Sidewalks that abut the front edge of any parking stall shall be no less than 7 feet wide to accommodate a two (2) feet vehicle overhang.

All adjoining commercially zoned properties within this Overlay District shall allow for and provide parking and pedestrian interconnections to permit cross circulation and flow of traffic.

PARKING LOT AND DRIVEWAY SURFACING AND DIMENSIONS

All parking lots, driveways and drive aisles shall be paved and include integral curbing in accordance with Chapter 166.33 of the City Zoning Regulations. Parking lot driveways, drive aisle, and parking stall dimension shall also conform with the City Zoning Regulations. Wheel stops and similar non-integral curbing is discouraged except as may be necessary for ADA accessible parking stalls.

Alternative curbing and pavement edge treatments may be permitted for parking lot bio-swales and rain gardens. Permeable paving as part of a comprehensive storm water management plan may be permitted.

PARKING LOT LANDSCAPING

All parking lot islands shall be landscaped with a combination of turf grass, prairie grass, plant beds, shrubs, and trees with no less than three (3) different landscape materials being utilized. Rock, chip brick, pavers, pavement and similar hard surfacing shall not be permitted. Sidewalks may be permitted as necessary to accommodate pedestrian circulation. One (1) overstory tree shall be planted within each 9 feet wide landscaped island.

← ADD "NOT IMPEDED BY SIDEWALK"

Whenever an off-street parking area fronts along a public street or adjoining residentially zoned property, an average of one overstory tree and two (2) understory trees shall be planted every fifty (50) feet within the minimum 15 feet parking lot setback area. Additionally, a minimum three (3) feet tall vehicle headlight screen shall be installed between the parking lot and the adjoining street or residentially zoned property. This screen shall be constructed with a combination of at least 3 of the following different items: shrubs, ornamental grasses, earth berming, and low masonry walls.





VEHICLE DRIVE-THRU AND DRIVE-IN FACILITIES

No drive-thru facility for a restaurant, coffee shop, bank, drug store, or similar use shall be approved unless determined by the City that the drive-thru facility will not interfere with pedestrian and vehicle circulation or otherwise negatively impact the overall development of the Overlay District into the town square. Vehicle drive-thru facilities are limited to no more than two (2) within this Overlay District.

- The following standards shall apply to all drive-thru facilities:
- Drive-thru structures and components shall be incorporated into the overall design of the building.
 - Stand-alone drive-thrus and drive-thru canopies shall be prohibited.
 - Window service and menu boards cannot face a public street and shall be screened from view of all public streets.
 - Raised islands, decorative paving treatments, and soft landscaping or other forms of barriers to separate stacking lanes from main parking areas and driveways are required where possible.
 - Only single-lane drive-thrus shall be permitted. Double drive-thru lanes (side-by-side) are prohibited.
 - Drive-thru staking and queuing lanes shall not wrap around the building on more than two (2) sides.
 - All food and beverage service drive-thrus shall provide no less than twelve (12) vehicle queuing spaces per drive-thru, six (6) of which shall be located before the ordering station if separate from the pick up window. All other drive-thru facilities shall have no less than five (5) vehicle queuing spaces. Queuing spaces shall be no less than twelve feet (12') in width and twenty feet (20') in depth.
 - Queuing spaces shall not be located in a manner that will block any designated parking space.

OFF-STREET PARKING REQUIREMENTS

ADA Accessible parking shall be provided in accordance with federal and state law. All uses shall provide the number of off-street parking spaces as prescribed by Chapter 166.33 of the City Zoning Regulations except as follows:

- Single and multi-tenant retail and office use buildings - 1 parking stall shall be provided for every 250-square feet of gross floor area.
- Mixed-use buildings – one (1) parking stall per residential bedroom plus one (1) parking stall shall be provided for every 250-square feet of gross floor area not including floor area designated as residential.
- Restaurants, bars, coffee shops – one (1) parking stall per 100 square feet of gross floor area ~~including any designated outdoor or roof top seating areas.~~
- Underground, in-building, and structured parking may count towards fulfillment of the off-street parking requirements. Detached garages are not permitted.
- It is intended that parking be shared throughout the ~~Overlay District.~~ A shared parking plan may be required as part of the site plan review and approval process. At the sole discretion of the City, certain credit may be given for parking shared between uses that are off-peak from each other.

Alternate Parking Requirement – At the sole discretion of the City, an agreement may be reached by which the City will construct and/or maintain public parking facilities and drives necessary to serve all or a portion of the development within the Overlay District, thereby reducing or eliminating the off-street parking requirement. The City, at its sole discretion, may further consider leasing or dedicating a limited number of parking stalls for the exclusive use of adjoining, low parking demand businesses.



ADD:
* ON-STREET PARKING ALONG NW 62ND AVENUE, MERLE HAY ROAD, AND NW 63RD PLACE MAY COUNT TOWARD FULFILLMENT OF THE OFF-STREET PARKING REQUIREMENTS.

WITHIN A PLANNED DEVELOPMENT BY TOWN CENTER ASSOCIATION MEMBERS"

ADD "INITIAL"

SHALL PROVIDE OR HAVE ACCESS TO A SHARED OR COMMON BIKE PARKING FACILITY

BIKE FACILITIES

Every building that contains a residential or a retail use including restaurants, bars, and coffee shops, ~~shall provide a bike parking facility~~, such as a bike rack or bike lock boxes or an indoor bike storage area.

Residential buildings are encouraged to provide indoor bike storage areas and bike wash-down and repair facilities. Office uses are also encouraged to provide interior bicycle facilities for employees and customers. Further, office building indoor facilities are encouraged to provide bike lockers, repair and maintenance areas, and rooms/showers/changing rooms.

Exterior bicycle parking facilities must be located in a visible area close to the front entrances of the main building or buildings. The facilities should be located on a sturdy paved surface with permeable concrete as the preferred surface type. When possible, exterior bike racks should be architectural in style to enhance the aesthetics of the streetscape and overlay district. If exterior bike racks are not architectural in style, the bike facility should include screening to reduce its visual impact.

Setbacks: Bike racks must be at least 3 feet from the street right-of-way and 6 feet from the nearest structure to allow for adequate walkway space. If there are multiple bike racks in a location, there should be at least 10 ft 6 inches between the racks center to center.

For assistance with bicycle facility design, property owners should consult the Association of Pedestrian and Bicycle Professionals (APBP) - Essentials of Bike Parking, Revision 1.0, September 2015, www.apbp.org.

PEDESTRIAN CIRCULATION PLAN

Site plans for all new buildings, building additions and expansions, new parking lots and parking lot expansions shall include a plan for pedestrian circulation for the site. Sidewalk connections shall be made from all major building entrances to the parking lot and to the nearest public sidewalk or trail. Pedestrian circulation through the parking lot and to outdoor patios and seating areas shall also be provided. All sidewalks shall be a minimum five (5) feet wide. The use of special pavement treatments and markings to delineate and announce pedestrian crossings shall be required.



MOVE IMAGE TO TOP LEFT CORNER PANEL

ADD:
ALTERNATE BIKE FACILITIES REQUIREMENT - AT THE SOLE DISCRETION OF THE CITY, AN AGREEMENT MAY BE REACHED BY WHICH THE CITY WILL CONSTRUCT AND/OR MAINTAIN PUBLIC BIKE FACILITIES NECESSARY TO SERVE ALL OR A PORTION OF THE DEVELOPMENT WITHIN THE OVERLAY DISTRICT, THEREBY REDUCING OR ELIMINATING THE BIKE FACILITIES REQUIREMENT.

OUTDOOR DISPLAYS AND SALES AND
OUTDOOR FOOD AND BEVERAGE SERVICE
AREAS FOR PERMANENT BUSINESSES

Outdoor storage of any kind shall be prohibited; however, the outdoor display of retail goods for sale may be permitted subject to site plan review and approval and the regulations contained herein. Retail properties may define limited areas within their site for permanent and/or intermittent outdoor display and sales (i.e., pumpkins, plants, lawn and garden goods), including outdoor seating areas for food and beverage service, subject to the provisions contained herein. All outdoor display and sales and food and beverage service areas must be clearly defined and detailed on a site plan and obtain approval as part of a site plan process or otherwise obtain site plan approval from the City. All other City Code requirements for seasonal and temporary uses must be met including the provisions of Chapter 173 of the City Zoning Regulations.

Outdoor display and outdoor seating areas shall be hard surfaced and cannot not be located upon any parking stalls or drive aisles, and must be situated immediately adjacent to the retail establishment or tenant space which shall have exclusive use of said areas. Off-site businesses/ non-tenants shall not be allowed to utilize these areas except as maybe approved by the City as part of a City sanctioned special event (i.e., farmers markets, craft shows, rummage sales, art festivals, food festivals, fun-runs, music events, live performances).

Outdoor display and seating areas shall be located no closer than 10 feet from any property line or street right of way and may not be located within any street or driveway vision triangle, required buffer, or required open space area. The layout of any outdoor display, sales, and seating areas shall be designed so to not create a traffic hazard or congestion and shall allow for the safe and unimpeded flow of pedestrian traffic, including exiting from the building. A minimum five (5) feet of clearance shall be maintained along all sidewalks and walking paths/pedestrian routes.

Outdoor food and beverage service areas are required to have a permanent barrier or fence, that is a minimum three (3) foot tall, enclosing the outdoor seating area. The permanent barrier or fence shall be

architecturally consistent and appropriate with the level of finish and appearance of the adjacent retail building.

No detached or freestanding signage shall be permitted except as may be allowed by Chapter 170 of the City Zoning Regulations.

Food trucks and food trailers may be permitted on an intermittent or reoccurring basis within the Overlay District ~~as part of a temporary use permit~~. These special events and food trucks/trailers may be located within parking or open space areas as permitted by the City. The number, specific location, and duration or schedule shall be determined with the input of the Overlay District residents, businesses, and property owners so as to limit any conflicts or unintended negative impacts.



VISION TRIANGLE OR REUIRED BUFFER.

SHALL

PERMANENT BARRIERS OR FENCES

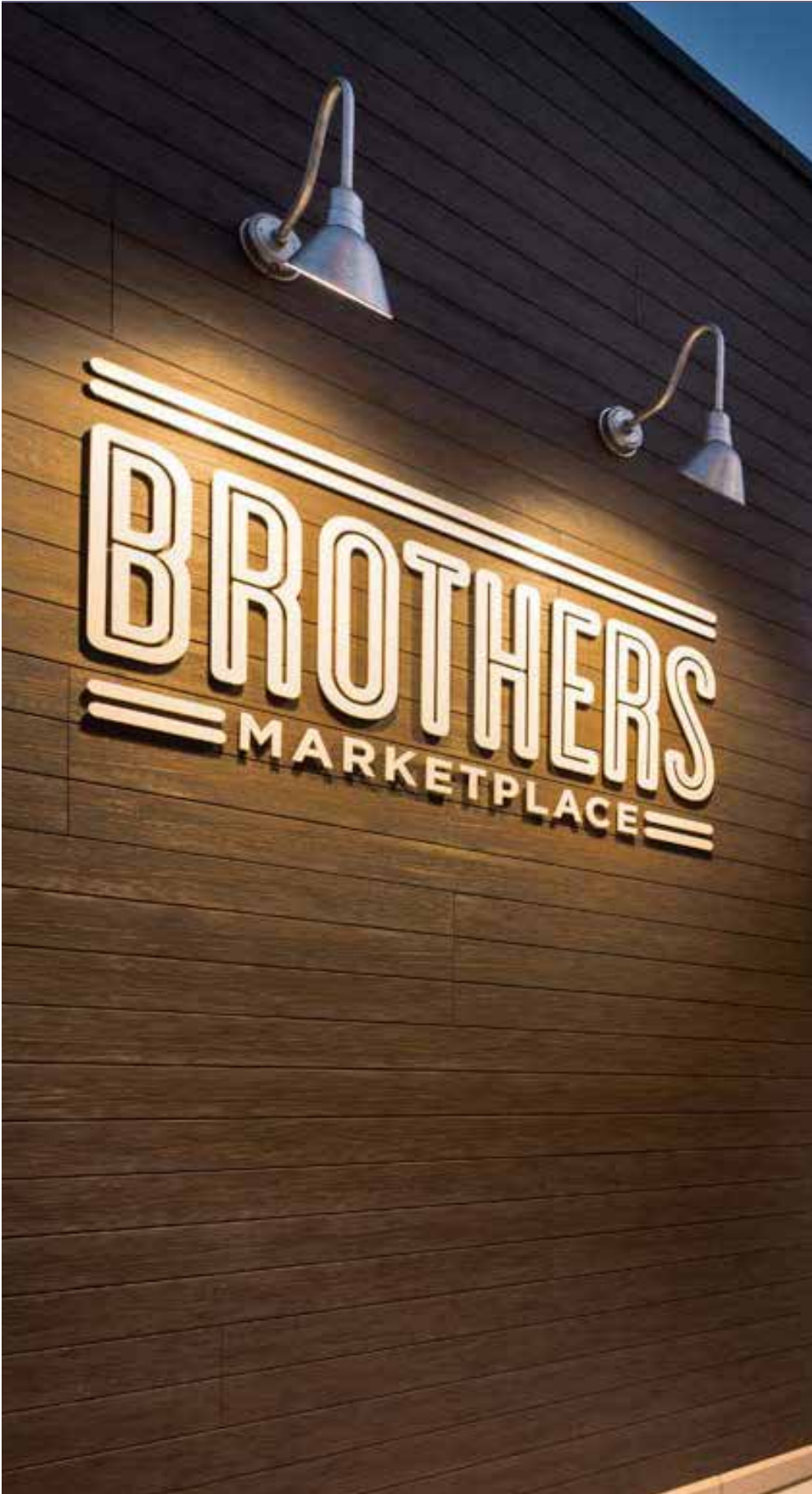
ADD "AS MAY BE REQUIRED FOR THE OUTDOOR SALE AND CONSUMPTION OF ALCOHOL"

SITE LIGHTING

LIGHTING

All site and building lighting shall be LED type of a soft-white or bright-white quality. All light fixtures shall be downcast in nature and must possess sharp, cut-off qualities to limit off-site glare. Wall-pack type light fixtures are prohibited. Buildings and signage may be up-cast or downcast illuminated provided said lighting does not shine or glare off or past the sign or building wall. A photometric plan and cut-sheets of all light fixtures shall be provided to the City during the site plan and/or building permit review process.

ALL SITE LIGHTING AND BUILDING LIGHTING SHALL BY LED TYPE. FIXTURES ARE ALLOWED TO HAVE MULTI-COLORED CAPABILITIES, BUT ARE REQUIRED TO HAVE DEFAULT COLORED SOFT-WHITE OR BRIGHT-WHITE QUALITY.





PANEL SIGNS ARE PROHIBITED, EXCEPT FOR A PANEL SIGN

BUILDING SIGNS

Building signs are defined as any sign which is in any way attached to a building or an appurtenance of a building and includes awning signs, canopy signs, fascia signs, parapet signs, painted signs and window signs. Internally illuminated color panels, strips, or bands and neon lighting shall be considered building signs. Building signs shall not be attached to a roof or roof element of any structure or building.

All building signs, with the exception of awning and window signs, shall consist of solid individual letters and symbols made of ~~anodized aluminum or similar materials~~ or shall consist of individual illuminated self-contained letters and symbols made of anodized aluminum or similar materials with translucent plastic faces. Signs with exposed florescent tubes or light bulbs are prohibited. Exposed neon is permitted. Painted signs, including any lettering, graphics, images, and logos, are prohibited except as may be permitted on awnings and windows.

Projecting signs (defined as a sign that extends more than 12 inches out from the wall of the building on which it is mounted) may be permitted on building walls that face an internal, private street. No projecting signs shall be mounted on walls that face and front along a public street. Projecting signs shall comply with all regulations of a building sign and the following:

- No more than one (1) projecting sign shall be permitted per building entrance located on the façade for which the signs are mounted.
- Signs may be double sided and the maximum area of the sign and/or area of the sign structure area shall be 24 square feet on each side.
- Maximum sign projection shall be ~~eight (8)~~ from the building wall on which it is mounted.
- Minimum sign clearance shall be 10 feet above any sidewalk or walkway and 15 feet above any roadway or parking lot.

All letters and symbols shall be individually attached to the building wall. Raceways are prohibited. ~~In any situation where it is not physically practical to mount a wall sign without a raceway, a pan style raceway may be utilized, subject to the submittal of documentation of such physical impracticality to the Zoning Administrator.~~ No individual letter or symbol

shall exceed six (6) feet in height and six (6) feet in width.

~~Panel signs are prohibited; however, a panel type sign with an individual logo or graphic may be permitted as part of a building sign provided the panel area does not exceed six (6) feet in height and six (6) feet in width and is designed as if it were an individual illuminated self-contained letter or symbol.~~

No more than a total of two (2) wall-mounted or projecting sign mounted electronic message centers up to 40 square feet in size may be permitted within the Overlay District.

The total allowable building wall sign area shall be no greater than five percent (5%) of the area of each building wall that fronts along a public street. No more than two building walls that face a public street may be counted. Building signage may be placed along any building wall face provided the total square footage of allowed signage is not exceeded. Sign area for each sign is calculated by the area of a rectangle that incorporates the extreme points or edges of all text, symbols, and logos of the sign.

Window signs are defined as a building sign or other sign, picture, graphic, or color band affixed to the interior of a window, embedded in a window, painted on the interior of a window or hanging adjacent to a window or close to a window and obviously intended to be viewed in part or totally through the window by the public. Window signs shall cover no more than twenty percent (20%) of the surface area of any individual window unit and shall not be internally or directly illuminated. Window signs shall be counted against the total allowable building signage.

Prior to installation of any signage on a multi-tenant building, the building owner shall provide a signage plan detailing the general design and location of all signage and how and where signage will be allocated to each individual tenant space. This plan shall be adhered to unless an alternate plan is provided to the City by the building owner.



CORROSION-RESISTANT MATERIALS SUCH AS ANODIZED ALUMINUM, POWDER COATED ALUMINUM, GALVANIZED STEEL,

ADD "OR PARKING LOT"

ADD "OR PRIVATE, INTERNAL"

8 FEET

ADD "AND APPROVED BY THE CITY PRIOR TO INSTALLATION"



MONUMENT SIGNS

Monument signs are defined as a freestanding sign monument which is anchored to the ground and has a monolithic or columnar line and which maintains essentially the same contour from grade to top with the base of the sign. Signage is affixed to the monument face and said sign monument may be doubled sided with two (2) sign faces, perpendicular or parallel to the adjoining roadway, but in no case shall consist of more than two (2) sign faces. Pole signs are prohibited.

Monument signs shall be considered permanent signs to these regulations and only on-premise monument signs shall be permitted. On-premise signs are defined as sign which has the primary purpose of identifying or directing attention to commercial activity on the lot on which the sign is located. Off-premise signs, signs which directs attention to a commercial use conducted off the lot on which the sign is located, shall be prohibited.

No more than two (2) monuments signs shall be permitted along the Merle Hay Road frontage and no more than one (1) monument sign shall be permitted along the NW 62nd Street frontage and along the NW 63rd Place frontage.

ADD ", IN ACCORDANCE WITH THE APPROVED SITE PLAN."

Monument signs may be double-sided with a single sign face on each side of the monument for a total of no more than two (2) sign faces. Each monument sign face may have up to one (1) square foot of sign area for each linear foot of street frontage contained by the lot of record on which the sign is located for the frontage on which the sign is facing. The maximum sign area is 100 square feet per sign face. Sign area is calculated by the area of a rectangle that incorporates the extreme points or edges of all text, symbols, and logos of the sign.

The monument sign setback from all property lines is 10 feet. The maximum monument sign height is 10 feet. However, in no case shall a monument be installed within a street or driveway intersection sight triangle as defined by City code.

All signage affixed to sign monuments (monument signs) shall consist of solid individual letters and symbols made of anodized aluminum or similar materials or shall consist of individual illuminated self-contained letters and symbols made of anodized aluminum or similar materials with translucent

plastic faces. Signs may also consist of routed face signs. Painted signs are prohibited. Signs with exposed neon or exposed florescent tubes or light bulbs are prohibited.

No individual letter or symbol shall exceed four (4) feet in height and four (4) feet in width. All letters and symbols shall be individually attached to the sign monument surface. Raceways are prohibited.

A MONUMENT SIGN

Panel signs are prohibited; however, a panel sign with an individual logo or graphic may be permitted as part of a monument sign provided the panel area does not exceed four (4) feet in height and four (4) feet in width and is designed as if it were an individual illuminated self-contained letter or symbol.

One (1) of the four (4) permitted monument signs may contain an electronic message center that does not exceed fifty percent (50%) of the allowable sign area.

Prior to installation of any monument sign on a multi-tenant site, the property developer/owner shall provide a signage plan detailing the general design and location of all the monument sign(s) and how signage will be allocated to each individual tenant spaces and/or properties. This plan shall be adhered to unless an alternate plan is provided to the City by the developer/owner.

CORROSION-RESISTANT MATERIALS SUCH AS ANODIZED ALUMINUM, POWDER COATED ALUMINUM, GALVANIZED STEEL,





STORM WATER MANAGEMENT FACILITIES

All sites shall provide storm water management and detention facilities as necessary and required by City Code. When possible, storm water management facilities should be shared in order to improve performance, reduce costs and provide a great site amenity.

The use of bio-swales, rain gardens, pervious paving and other storm water infiltration methods are required for each site. Low-slope building roofs (flat roofs) that are visible from a neighboring building, or are likely to be visible from a future building, shall incorporate either a roof-top amenity deck/seating area/patio space or roof-top landscaping, i.e., 'green roof.'

No surface storm water detention facilities, including bio-swales and rain gardens, may be located within a front yard building setback area, when the building is set at the minimum building setback. If the building is setback further than the minimum such facilities will be reviewed on a case by case basis.

Underground storm water detention is encouraged in order to maximize the use of property. Large, surface detention ponds are strongly discouraged and any surface detention areas shall be designed as a wet retention pond and developed into a site amenity with landscaping, walking trails, interpretive signage, and site furniture. All pond edges shall be appropriately treated and landscaped. Landscaping contained within storm water management features may count towards the open space landscape requirement.

Prior to development of any property within this overlay district, an overall storm water master plan shall be created and submitted to the City for review. Each site shall subsequently submit a storm water management plan that conforms to the approved storm water master plan. Any deviations from the storm water master plan will require an updated plan and City review and approval.

Alternate Storm Water Detention Requirement

At the sole discretion of the City, an agreement may be reached by which the City will construct and/ or maintain storm water detention facilities to serve all or a portion of the development within the Overlay District, thereby reducing or eliminating storm water detention requirements.



ADD "OR A
LANDSCAPED
DRY-BOTTOM
DETENTION
BASIN"

STREETSCAPE STANDARD

Streetscape right-of-way improvements shall be made along the Overlay District's frontage on Merle Hay Road, NW 62nd Ave, and NW 63rd Place. Mirroring improvements should be replicated on the opposite side of the street when possible. As a part of the review of the first development project within this Overlay District, a specific streetscape plan shall be developed that will then be continued by successive projects.

The following are the standards that shall apply to each of these street frontages.

MULTI-USE PATH

~~TRAIL IMPROVEMENTS~~

~~A 10-foot wide trail (paved to the City's design standard) shall be installed within the right of way.~~

LANDSCAPING IMPROVEMENTS

One (1) overstory tree (minimum 10 feet tall) shall be planted for every 50 feet of street frontage. Periodic clusters of ornamental grasses and/or shrubs shall be repeated along the streetscape at an average interval of one (1) cluster or grouping for every 20 feet of frontage. The trees and grasses/shrub clusters shall be located between the public street and the trail. Depending on the specific streetscape plan developed and placement limitations and restrictions necessary to meet clearance requirements for public road intersections and utilities, these trees may also be grouped or spaced at varying intervals as needed.

A permit must be obtained prior to planting any street tree or landscape material in the public right-of-way and shall comply with the requirements of City Code Section 150.02.

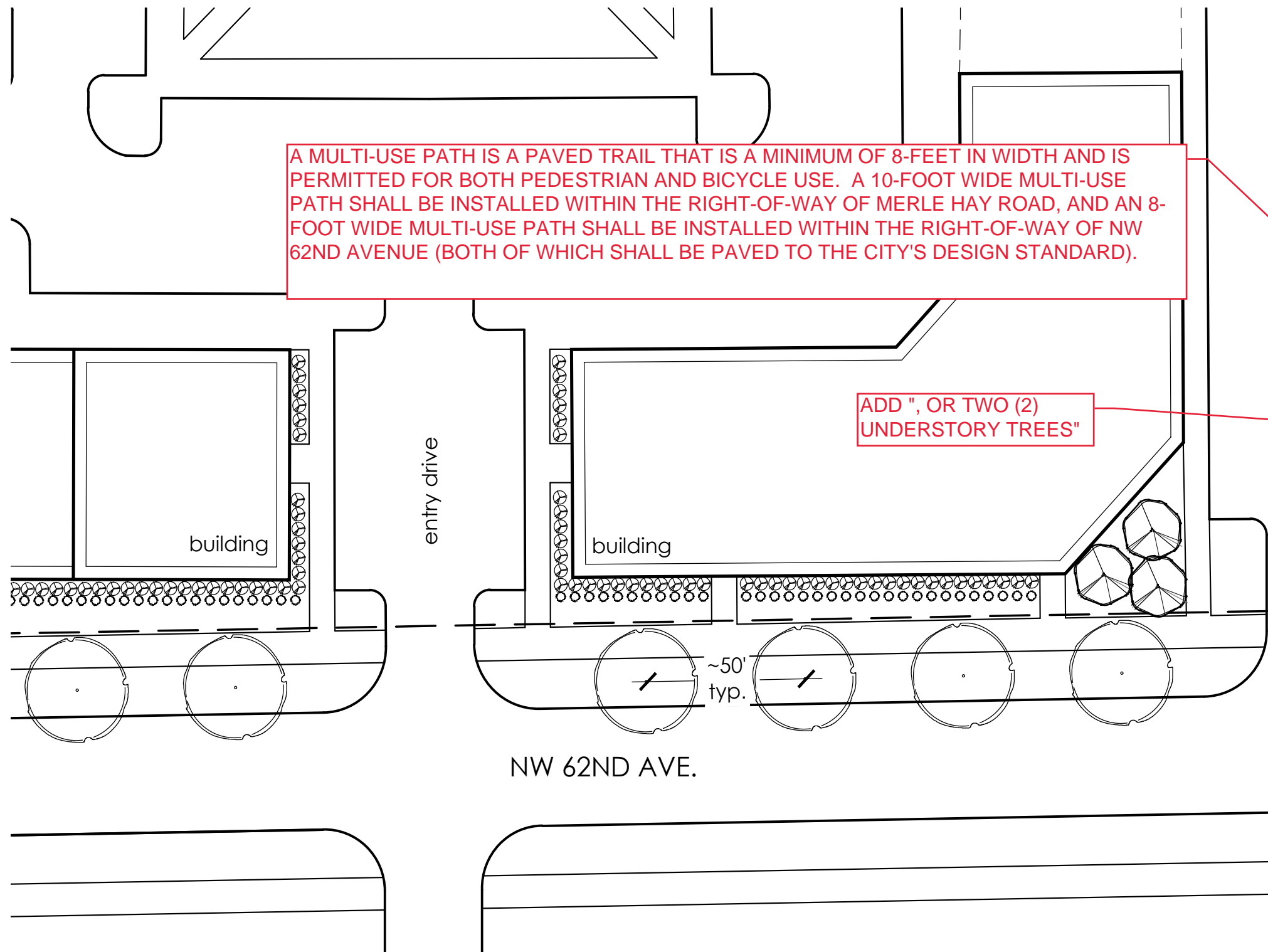


FIGURE 4.1 STREETSCAPE DIAGRAM



PUBLIC ART & OPEN SPACE

As a part of the first development proposal, a public art and open space plan shall be developed for the Overlay District. This plan should include details for at least one public art feature or water fountain and a programmable community gathering space that is of sufficient size that can support the Johnston farmer's market. Depending on the size and location of the initial development project within this Overlay District, a phasing plan may be necessary to develop the community gathering space in multiple stages.

ADD: PUBLIC ART MAY INCLUDE FOUNTAINS, FREE-STANDING SCULPTURES AND DISPLAYS, PLANTERS, BENCHES, DECORATIVE VINYL WRAPS AROUND UTILITY BOXES AND PAINTED WALL MURALS THAT ARE NOT OF A COMMERCIAL/ADVERTISING NATURE.

