



OFFICE OF THE CITY ADMINISTRATOR

Johnston, Iowa
 AGENDA COMMUNICATION
 May 15th, 2017

SUBJECT: Consider third and final reading and adopting and publishing Ordinance 974; an Official Zoning Map amendment for approximately 4.223 acres from PUD to R-3 and for approximately 3.694 acres from PUD to R-4. The subject property is located west of NW 90th Street and north of Windsor Parkway (PZ Case 17-11).

ACTIONS REQUIRED:

- Ordinance
- Resolution
- Approval
- Receive/File
- Attorney Review

SYNOPSIS:

Windsor Office Park LLC, Walker & Sherinian Invest LLC, and Ewing Land Development & Services, LLC have requested a rezoning of 7.918 acres from PUD, Planned Unit Development, to R-3, Medium Density Multiple Family Residential Zoning District, and to R-4, High Density Multiple Family Residential Zoning District. The purpose of the rezoning is to facilitate the development of the proposed R-4 zoned area into a senior residential co-op and the development of the proposed R-3 zoned area into townhomes.

RECOMMENDATION:

At their regular meeting on March 27th, 2017 the Planning & Zoning Commission recommended approval of PZ Case No. 17-11; an amendment to the Official Zoning Map for 4.223 acres from PUD, Planned Unit Development, to R-3, Medium Density Multiple Family Residential Zoning District, and for 3.694 acres from PUD, Planned Unit Development, to R-4, High Density Multiple Family Residential Zoning District. Furthermore, the R-4, High Density Multiple Family Residential Zoning District, shall be subject to a development agreement restricting the use of the land to that of "housing for older persons" and uses customarily incidental to such and the R-3, Medium Density Multiple Family Residential Zoning District, shall be subject to a development agreement restricting the use of the land to that of townhomes.

Motion by _____, seconded by _____ to approve second reading of Ordinance 974; the Vintage Cooperative Johnston rezoning.

- Attachments:
- Aerial Vicinity Map;
 - Current Official Zoning Map;
 - Zoning Concept;
 - Approved Development Agreements;
 - Ordinance 724 and Resolution 11-142;
 - Chapter 167 Johnston Code of Ordinances;
 - Neighborhood Mailing Notice and Neighborhood Mailing List;
 - Public Communications;
 - March 27th, 2017 Planning and Zoning Commission Meeting Minutes;

ORDINANCE NO. 974

AN ORDINANCE AMENDING THE JOHNSTON REVISED ORDINANCES OF 2007 BY AMENDING THE OFFICAL ZONING MAP FOR APPROXIMATELY 4.223 ACRES FROM WINDSOR OFFICE PARK PUD, ORDINANCE 724, TO R-3, MEDIUM DENSITY MULTIPLE FAMILY RESIDENTIAL DISTRICT, AND FOR APPROXIMATELY 3.694 ACRES FROM WINDSOR OFFICE PARK PUD, ORDINANCE 724, TO R-4, HIGH DENSITY MULTIPLE FAMILY RESIDENTIAL. THE SUBJECT PROPERTY IS LOCATED WEST OF NW 90TH STREET AND NORTH OF WINDSOR PARKWAY

Be It Enacted by the City Council of the City of Johnston, Iowa that:

SECTION 1. PURPOSE. The purpose of this ordinance is to change the Official Zoning Map of the City of Johnston, Iowa, under the provisions of Chapters 165 to 172 (Zoning Ordinance), Chapter 165 (General Provisions), Chapter 166.02 (Zoning District Boundaries and Official Zoning Map) of the Johnston Municipal Code.

SECTION 2. OFFICIAL ZONING MAP AMENDED FROM PUD TO R-3, MEDIUM DENSITY MULTIPLE FAMILY RESIDENTIAL ZONING DISTRICT. The following legally described property is hereby rezoned from PUD to R-3:

LOTS 14 AND 15 AND THE WEST 51.05 FEET OF LOT 13, WINDSOR OFFICE PARK PLAT 1, BEING AN OFFICIAL PLAT IN THE CITY OF JOHNSTON, POLK COUNTY, IOWA AND CONTAINING 4.223 ACRES. (183,934 S.F.)

SECTION 3. OFFICIAL ZONING MAP AMENDED FROM PUD TO R-4, HIGH DENSITY MULTIPLE FAMILY RESIDENTIAL ZONING DISTRICT. The following legally described property is hereby rezoned from PUD to R-4:

LOTS 12 AND 13, WINDSOR OFFICE PARK PLAT 1, BEING AN OFFICIAL PLAT IN THE CITY OF JOHNSTON, POLK COUNTY, IOWA EXCEPT THE WEST 51.05 FEET OF SAID LOT 13 AND CONTAINING 3.694 ACRES. (160,929 S.F.)

SECTION 4. REPEALER. All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

SECTION 5. SEVERABILITY CLAUSE. If any section, provision, or part of this ordinance shall be adjudged invalid or unconstitutional, such adjudication shall not affect the validity of the ordinance as a whole or any section, provision or part thereof not adjudged invalid or unconstitutional.

SECTION 6. WHEN EFFECTIVE. This ordinance shall be in full effect from and after its final passage, approval, and publication as provided by law. Publication of this ordinance shall only occur upon notice from Windsor Office Park, LLC and Walker & Sherinian Invest,

LLC that the transfer of the aforementioned legally described property to Ewing Land Development & Services, LLC has been completed.

Passed and approved by the City Council the 15th day of May, 2017.

PAULA DIERENFELD, MAYOR

ATTEST:

CYNDEE RHAMES, CITY CLERK

1st Reading: April 17th, 2017
 2nd Reading: May 1st, 2017
 3rd Reading: May 15th, 2017

Passed: _____
 Signed: _____
 Published: _____

	1 st Reading		2 nd Reading		3 rd Reading	
	Aye	Nay	Aye	Nay	Aye	Nay
Brown	X		X			
Clabaugh	X		X			
Cope	X		X			
Lindeman	X		X			
Temple	X		Absent			

PROPERTY OWNERS:

Windsor Office Park, LLC
3101 Ingersoll Ave
Des Moines, IA, 50312

Walker & Sherinian Invest LLC
3737 Woodland Ave, Suite 630
West Des Moines, IA, 50266

APPLICANT:

Ewing Land Development & Services, LLC
909 West 16th St
Pella, IA, 50219

REPRESNATIVE:

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

BACKGROUND & PRIOR APPROVALS:

The City Council initiated a future land use map amendment and an Official Zoning Map Amendment at their March 6, 2017 meeting.

The property was originally zoned to PUD, Planned Unit Development, via Ordinance 652, on August 23, 2002. The subject property was platted as part of Windsor Office Park Plat One on November 18, 2002. The subject property was rezoned via Ordinance 724 on October 7, 2005.

There have been several rezoning requests for the subject property since 2005. In 2015 there was a request to rezone the entirety of the subject property from PUD to R-4, High Density Multiple Family Residential Zoning District. The request consisted of a comprehensive plan amendment from Business park to High Density Residential and the associated rezoning to R-4, High Density Multiple Family Residential Zoning District. The Planning and Zoning Commission had voted to deny the request for a comprehensive plan amendment. Since the rezoning would be inconsistent with the comprehensive plan per the Planning and Zoning Request the rezoning was in effect denied. The comprehensive plan amendment proceeded to the City Council for Consideration. The City Council acted to table the item to allow for further study of the allocation of high density properties throughout the City of Johnston. Both the Comprehensive Plan amendment and the rezoning request were withdrawn by the applicant prior to action on the items by the City Council.

In 2016 a rezoning request was initiated for the subject property to rezone to R-3, Medium Density Multiple Family Residential Zoning District, and to R-4, High Density Multiple Family Residential Zoning District, but the 2016 request was withdrawn prior to consideration by the Planning and Zoning Commission or City Council.

COMPREHENSIVE
PLAN:

The Johnston 2030 Comprehensive Plan was amended with the first reading of this Ordinance on April 17th, 2017. The amendment to the future land use map changed the subject property from Business Park (BP) to Medium Density Residential (MDR) and High Density Residential (HDR).

The Johnston 2030 Comprehensive Plan defines Medium Density Residential (MDR) as including residential uses at densities that range from five to eight units per acre. MDR accommodates a mix of housing types including single-family detached, twinhomes, and lower density townhomes.

The Johnston 2030 Comprehensive Plan defines High Density Residential (HDR) as including multi-family housing at densities exceeding eight units per acre. Uses in this category include townhouses, row houses, apartments, condominium buildings and senior housing.

EXISTING ZONING:

Windsor Office Park PUD, Ordinance 724, published October 7, 2005. The permitted uses for the property included PC, Professional Commerce Park, and mixed use buildings with restricted second story residential at densities not to exceed those of the R-4 zoning district. A copy of Ordinance 724 has been attached to this staff report along with resolutions approving minor amendments to the PUD which impact the subject property.

PROPOSED ZONING:

The site is proposed to be rezoned to the R-3, Medium Density Multiple Family Residential Zoning District, and the R-4, High Density Multiple Family Residential Zoning District. The intended use of the R-4 portion of the subject property is a senior housing cooperative.

A development agreement for both zoning districts was approved with the first reading of the Ordinance for this rezoning on April 17th, 2017. The following are the bulk regulations for the permitted uses in each zoning district (in accordance with the approved development agreements), a copy of Chapter 167 of the Johnston Code of Ordinances is attached to this staff report:

Use	Maximum Building Height	Minimum Lot Area	Minimum Lot Width	Front Yard Setback	Side Yard Setback	Rear Yard Setback
R-4 Single Family Bi-Attached	35'	12,500'	100'	50'	10'/20'	35'
*Maximum density of 7.0 dwelling units per acre						

Use	Maximum Building Height	Minimum Lot Area	Minimum Lot Width	Front Yard Setback	Side Yard Setback	Rear Yard Setback
R-3 Townhomes	35'	80,000'	200'	50'	35'/70'	50'
*Maximum density of 8.0 dwelling units per acre						
* Site plan review required						

Use	Maximum Building Height	Minimum Lot Area	Minimum Lot Width	Front Yard Setback	Side Yard Setback	Rear Yard Setback
R-4 Townhomes, Condos, Multiple unit Dwellings	50'	80,000'	200'	50'	35'/70'	50'
*Maximum density of 16.0 dwelling units per acre						
* Site plan review required						

Use	Maximum Building Height	Minimum Lot Area	Minimum Lot Width	Front Yard Setback	Side Yard Setback	Rear Yard Setback
Nursing, Convalescent, or Assisted Living	50'	80,000'	200'	50'	25'/50'	50'
* Maximum density of 16.0 dwelling units per acre or 32 beds per acre						
* Use permitted in either R-3 or R-4 zoning district						
* Site plan review required						

DEVELOPMENT AGREEMENTS:

At the April 17th, 2017 City Council meeting, two development agreements were approved with the first reading of the rezoning. The purpose of the development agreement on the R-4 zoned area is to reduce the demand for property capable of supporting new jobs in the City by restricting the use of the R-4 zoned portion of the rezoning area to “housing for older persons”. “Housing for older persons” is housing for people who are customarily peoples at or near the age of retirement. This age group typically has a reduced demand for jobs. The purpose of the development agreement on the R-3 zoned area is to restrict development of the site to townhomes only so as to reduce potential adverse impacts to the existing single family detached

**TAX INCREMENT
FINANCING (TIF):**

residential neighborhood in the vicinity.

The owners of Windsor Office Park have agreed to exclude the property tax increment generated by this development from their TIF Rebate Agreement with the City of Johnston. If the rezoning and the proposed development area proceeds, either the Windsor Park Development Agreement will be amended to reflect this or the area under consideration will be removed from the Windsor Park Urban Renewal Plan and TIF sub-area.

**ADJACENT LAND
USES:**

Adjacent land uses include single-family detached residential to the west, single-family detached to the north, vacant land zoned to accommodate PC, limited C-1, and upper story residential to the east, and vacant land zoned to support PC uses to the south.

The single-family detached residential uses to the north are along NW 62nd Avenue with an open space area separating those uses from the proposed uses. Additionally a small stream runs north of this property which would limit, but not necessarily prohibit, development immediately adjacent to this site to the north

BUFFERING:

The use of physical barriers or buffers is considered a necessary requirement to allow for the transition from one zoning district or land use to another contrasting zoning district or land use in recognition of neighbor's rights, to promote the coordination of neighborhood efforts and compatibility of neighborhood elements, and to protect the value of buildings and property.

Where zoning districts or land uses requiring a buffer between them are vacant or underdeveloped, the burden shall be assumed equally by each developer as the land is improved or developed. Where one of the two different zoning districts or land uses requiring a buffer between them is developed, the developer of the vacant land shall assume the burden.

There will be buffer requirements for areas of this site as it develops. Buffers will vary in size from 20 to 50 feet depending on the adjacent land uses and zoning districts. Some of the buffer requirements will be shared with adjacent properties and other buffer requirements will have the burden entirely on the developer of the vacant land.

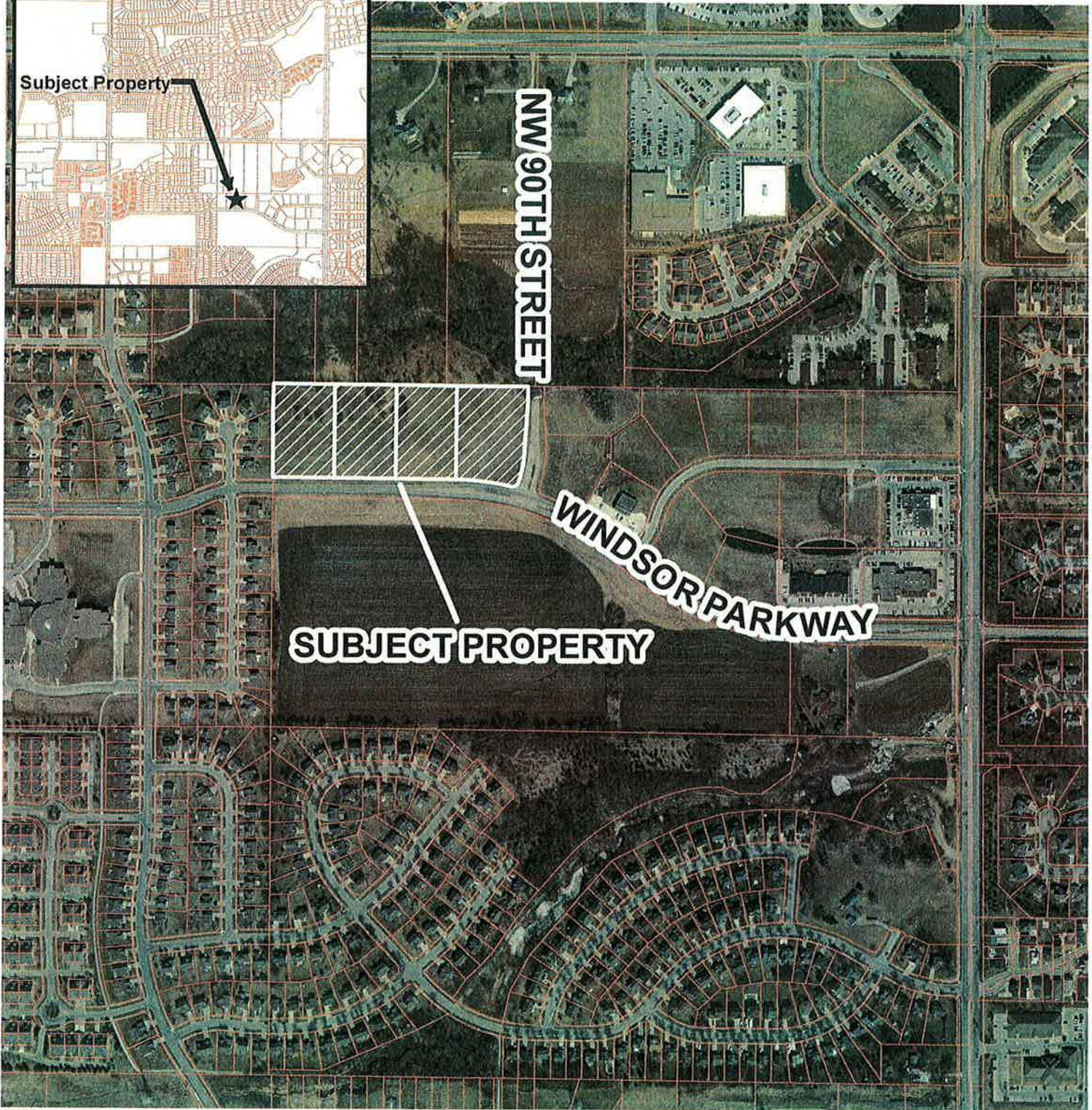
As part of a site plan or plat, an alternative buffer may be reviewed by the Planning and Zoning Commission and approved by the City Council provided that it meets the intent of the buffer section of the code of ordinances while recognizing unique conditions such as actual proposed layout of buildings and parking areas, site conditions, and use of the property.

TRAFFIC ACCESS &

This site will have the options to access both Windsor Parkway and NW

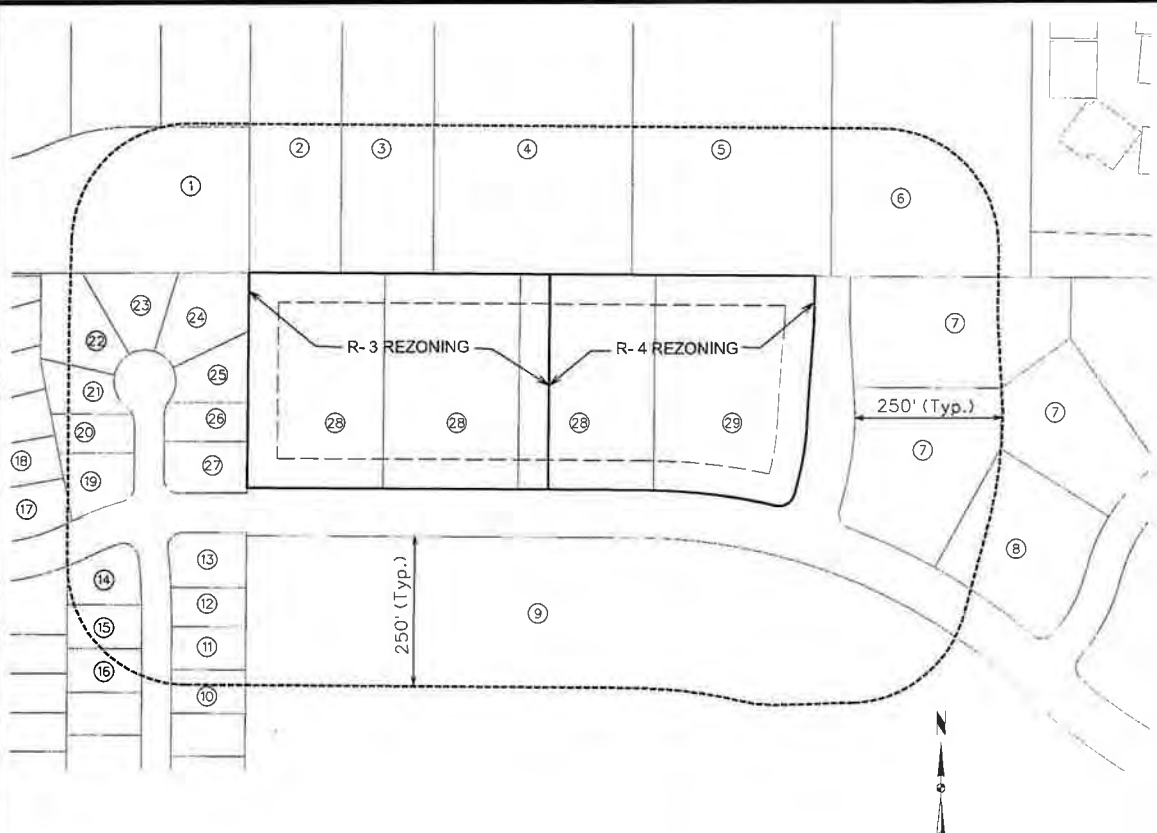
CIRCULATION:	90 th Street. Based upon the most current site concept, staff anticipates access to the R-4 and R-3 portions of the rezoning area to be entirely from Windsor Parkway.
UTILITIES:	<p>Sanitary Sewer: There is an 8-inch sanitary sewer main along the north side of Windsor Parkway and along the west side of NW 90th Street. These sanitary sewer mains are appropriately sized to accommodate the proposed development.</p>
	<p>Water: There is an 8-inch water main along the south side of Windsor Parkway and along the east side of NW 90th Street. These water mains are appropriately sized to accommodate the proposed development.</p>
FLOOD PLAIN:	This site is not located within a FEMA designated 100-year or 500-year floodplain.
PARKLAND DEDICATION:	Chapter 180.43 of the City of Johnston code of ordinances requires dedication of 5 acres of public parkland for each 1,000 residents added to the community. The necessary dedication will be tabulated with approval the final plat or site plan and is based on the number of lots/ dwelling units created.
IMPROVEMENTS TO ADJACENT ROADWAYS:	There are currently no plans to complete any work on Windsor Parkway or NW 90 th Street. NW 90 th Street is envisioned to be extended northward in the future as the properties to the north develop. NW 90 th Street is envisioned to eventually connect with NW 62 nd Avenue.
PUBLIC NOTICE:	The applicant had installed a sign along Windsor Parkway advertising the City Council public hearing date for this item, notice of the public hearing was mailed to all property owners within 320 feet of the subject property, notice of the public hearing was printed in the Johnston edition of the Des Moines Register, and a notice of the public hearing for the proposed rezoning was placed on the City's website. As of publication of this staff report three public comments have been received by staff. These comments are attached to the staff report.

**PZ CASE 17-11
VINTAGE COOPERTIVE JONSTON REZONING**



1 inch = 516 feet

Created by City of Johnston Department of Community Development
6221 Merle Hay Road, P.O. Box 410, Johnston, IA, 50131-0410 (515)278-2344 Fax:(515)278-2033



PROPERTY OWNERS

- 25 WINDSOR OFFICE PARK LLC
3101 INGERSOLL AVE
DES MOINES, IA 50312
- 29 WALKER & SHERMAN INVEST LLC
3737 WOODLAND AVE STE 630
WEST DES MOINES, IA 50266

ADJACENT OWNERS

- | | | | | | |
|---|--|--|--|--|--|
| 1. TERESA & RONALD HOLMGREN
9304 NW 62ND AVE
JOHNSTON, IA 50131 | 6. STEPHEN K DE COOK
8950 NW 62ND AVE
JOHNSTON, IA 50131 | 11. MUNIBA OHRAN
5829 NW 92ND CT
JOHNSTON, IA 50131 | 16. MOHET BLAZEVIC
5824 NW 92ND CT
JOHNSTON, IA 50131 | 21. RODNEY & LISA MORRIS
5808 NW 92ND CT
JOHNSTON, IA 50131 | 26. DONNA GONYEA
5805 NW 92ND CT
JOHNSTON, IA 50131 |
| 2. FOUNTAIN TUCKER LLC
100 MARKET ST STE 102
DES MOINES, IA 50309 | 7. WINDSOR OFFICE PARK LLC
3101 INGERSOLL AVE
DES MOINES, IA 50312 | 12. MICHELLE COFFEY
5833 NW 92ND CT
JOHNSTON, IA 50131 | 17. KERMEYER
5301 NW 94TH ST
JOHNSTON, IA 50131 | 22. KEVIN & SONIA MC CLURE
5912 NW 92ND ST
JOHNSTON, IA 50131 | 27. ULFIK & MNKA KAJTAZOVIC
5901 NW 92ND CT
JOHNSTON, IA 50131 |
| 3. HAROLD & JANA TURNER
9110 NW 62ND AVE
JOHNSTON, IA 50131 | 8. AKC INVESTMENTS LLC
8961 THOMAS AVE
JOHNSTON, IA 50131 | 13. DAMON & KYLIE JACKSON
5837 NW 92ND CT
JOHNSTON, IA 50131 | 18. RYAN & ANGELA YOUNG
5805 NW 94TH ST
JOHNSTON, IA 50131 | 23. JEFFREY & KIMBERLY GLANDORF
5816 NW 92ND CT
JOHNSTON, IA 50131 | |
| 4. CHARLES & SUSAN O'HOLLEARN
9150 NW 62ND AVE
JOHNSTON, IA 50131 | 9. JENNY INC
0 POB 789
WINTHROP, WA 98862 | 14. CARSON & LISA HATTEL
5832 NW 92ND CT
JOHNSTON, IA 50131 | 19. PHUOC & HUY HUYNH
5900 NW 92ND CT
JOHNSTON, IA 50131 | 24. STEPHAN & NAOMI THOMASEE
5913 NW 92ND CT
JOHNSTON, IA 50131 | |
| 5. LORI ROTTENBERG
3127 DRUID HILL DR
DES MOINES, IA 50315 | 10. KEVIN & LAURA MORRISSEY
5825 NW 92ND CT
JOHNSTON, IA 50131 | 15. STEVEN HADLEY & MICHELLE WITCOMBE
5828 NW 92ND CT
JOHNSTON, IA 50131 | 20. KEVIN & BROOKE HAKERT
5804 NW 92ND CT
JOHNSTON, IA 50131 | 25. SCOTT & LEIGH WIEGEL
5809 NW 92ND CT
JOHNSTON, IA 50131 | |

R-3 REZONING DESCRIPTION
LOTS 14 AND 15 AND THE WEST 5105 FEET OF LOT 13, WINDSOR OFFICE PARK PLAT 1 BEING AN OFFICIAL PLAT IN THE CITY OF JOHNSTON, POLK COUNTY, IOWA

R-4 REZONING DESCRIPTION
LOTS 12 AND 13, WINDSOR OFFICE PARK PLAT 1 BEING AN OFFICIAL PLAT IN THE CITY OF JOHNSTON, POLK COUNTY, IOWA EXCEPT THE WEST 5105 FEET OF SAID LOT 13.

DEVELOPER
ERING LAND DEVELOPMENT & SERVICES LLC
800 WEST 97TH STREET
PELLA, IOWA 50209

ZONING
EXISTING: R-3 MEDIUM DENSITY MULTIPLE FAMILY RESIDENTIAL DISTRICT
PROPOSED: R-4 HIGH DENSITY MULTIPLE FAMILY RESIDENTIAL DISTRICT



DATE	DATE
BY	BY
SCALE	SCALE
PROJECT NO.	PROJECT NO.
1160984	1160984

VINTAGE COOPERATIVE - JOHNSTON
REZONING MAP

JOHNSTON, IOWA
277 SW SNYDER BLVD.
ANKENY, IOWA 50023
515-614-2020 | www.snyder-associates.com

SNYDER & ASSOCIATES, INC.



DEVELOPMENT AGREEMENT

This Development Agreement (hereinafter referred to as "AGREEMENT") made this 11th day of April, 2017, by and between Windsor Office Park, LLC and Walker & Sherinian Investments, LLC (hereinafter collectively referred to as "OWNERS"), and the City of Johnston, an Iowa municipality with city offices at P.O. Box 410, Johnston, Iowa, 50131-0410 (hereinafter referred to as "City").

WHEREAS, OWNERS wishes to develop certain property lying within the City of Johnston, Iowa described as follows:

LOTS 12 AND 13, WINDSOR OFFICE PARK PLAT 1, BEING AN
OFFICIAL PLAT IN THE CITY OF JOHNSTON, POLK COUNTY,
IOWA EXCEPT THE WEST 51.05 FEET OF SAID LOT 13 AND
CONTAINING 3.694 ACRES. (160,929 S.F.)

(hereinafter referred to as the "OWNERS' PROPERTY")

WHEREAS, it is OWNERS' intent to have OWNERS' PROPERTY rezoned to the R-4, High Density Multiple Family Residential Zoning District to facilitate the development of OWNERS' PROPERTY into "housing for older persons," which is defined as follows by Section 807.b.2 [42 U.S.C. 3607] of the Fair Housing Act:

(2) As used in this section "housing for older persons" means housing –

- (A) Provided under any State or Federal program that the Secretary of Housing and Urban Development determines is specifically designed and operated to assist elderly persons (as defined in the State or Federal program); or
- (B) Intended for, and solely occupied by, persons 62 years of age or older; or
- (C) Intended and operated for occupancy by persons 55 years of age or older, and—
 - (i) At least 80 percent of the occupied units are occupied by at least one person who is 55 years of age or older; and
 - (ii) The housing facility or community publishes and adheres to policies and procedures that demonstrate the intent required under this subchapter; and
 - (iii) The housing facility or community complies with rules issued by the Secretary of Housing and Urban Development for verification of occupancy, which shall—

- (I) Provide for verification by reliable surveys and affidavits; and
- (II) Include examples of the types of policies and procedures relevant to a determination of compliance with the requirement of clause ii. Such surveys and affidavits shall be admissible in administrative and judicial proceedings for the purposes of such verification.

WHEREAS, OWNERS' PROPERTY was originally zoned to solely permit PC uses, Professional Commerce Park Zoning District, on August 23, 2002; and,

WHEREAS, on October 7, 2005, OWNERS' PROPERTY was rezoned to expand the permitted uses to allow for mixed use buildings with residential on the second story with densities not to exceed those densities permitted in the R-4, High Density Multi Family Residential Zoning District; and,

WHEREAS, the rezoning request for OWNERS' PROPERTY would eliminate the permitted uses of the PC, Professional Commerce Park Zoning District, thus reducing the stock of land available in the CITY that could meet the demand for new jobs in the CITY; and,

WHEREAS, persons qualifying to occupy dwelling units in "housing for older persons" customarily are at or near the age of retirement thus reducing future demand for jobs in the CITY to accommodate the increased population; and,

WHEREAS, the City is willing to rezone OWNERS' PROPERTY to facilitate its development as long as OWNERS agrees to certain conditions; and

WHEREAS, the parties agree that the City has a right to require this Development Agreement under the provisions of Iowa Code Section 414.5 and that all requirements of said Section 414.5 have been met and complied with; and


NOW THEREFORE, pursuant to the authority granted to the City of Johnston by Iowa Code Section 414.5 and in consideration of the proposed development and increased tax base to the City and other good and valuable consideration, receipt and sufficiency of which are hereby acknowledged, the parties agree as follows:

1. **RESTRICTED USE OF OWNERS' PROPERTY.** OWNERS hereby agree with the CITY that the sole permitted uses on OWNERS' PROPERTY shall be "housing for older persons" as regulated by the Fair Housing Act and uses customarily incidental to "housing for older peoples".


2. **AMENDMENTS.** No amendments or variations of the terms of this AGREEMENT shall be valid or binding unless made in writing and executed by a duly authorized representative of each party to be bound thereto.
3. **BINDING EFFECT.** This AGREEMENT is binding upon the parties hereto and their respective successors and assigns. The parties further agree that this AGREEMENT may be filed with the Polk County Recorder so as to be part of a public record and notify third parties of the terms contained herein.
4. **EFFECTIVE DATE.** The OWNERS and the CITY hereby agree that this AGREEMENT shall not become effective until recorded with the Office of the Polk County Recorder and following publication of Ordinance 974 by the CITY in accordance with the Iowa Code.
5. **VALIDITY OF AGREEMENT.** If any term of this AGREEMENT is deemed or ruled invalid by a court of law for any reason, the parties agree that there would be a failure of consideration and that this AGREEMENT would be null and void.

WHEREFORE, the parties have executed this AGREEMENT on the date and year written above.

CITY OF JOHNSTON

By: 
Paula S. Dierenfeld, Mayor

ATTEST:

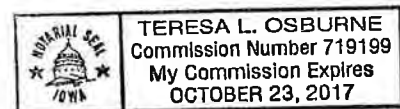
By: 
Cyndee Rhames, City Clerk

STATE OF IOWA, POLK COUNTY, ss:

On this 17th day of April, 2017, before me the undersigned, a Notary Public in and for the State of Iowa, personally appeared Paula S. Dierenfeld and Cyndee Rhames, to me personally known, who, being by me duly sworn, did say that they are the Mayor and City Clerk, respectively, of the **City of Johnston, Iowa**; that the seal affixed to the foregoing instrument to which this is attached is the corporate seal of the City; that the instrument was signed and sealed on behalf of the City by authority of its City Council, as contained in Resolution No. 17-124 passed the City Council on the 17th day of April, 2017, and that Paula S. Dierenfeld and Cyndee Rhames, as such officers, acknowledged the execution of the instrument to be the voluntary act and deed of the City, by it and by them voluntarily executed.



Notary Public in and for the State of Iowa



Windsor Office Park, LLC

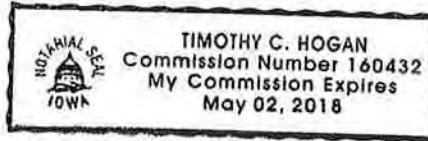
By: [Signature]
Harry R. Wolf, Vice President

STATE OF IOWA, POLK COUNTY, ss:

On this 14 day of April, 2017, before me, the undersigned, a Notary Public in and for the State of Iowa, personally appeared Harry R. Wolf to me personally known, who, being by me duly sworn, did say that he is the Vice President of Windsor Office Park, LLC executing the within and foregoing instrument; and that he acknowledged the execution of said instrument to be his voluntary act and deed of the members and managers of said corporation.

[Signature]

Notary Public, In and For the State of Iowa



DEVELOPMENT AGREEMENT

This Development Agreement (hereinafter referred to as "AGREEMENT") made this 17th day of April, 2017, by and between Windsor Office Park, LLC (hereinafter collectively referred to as "OWNER"), and the City of Johnston, an Iowa municipality with city offices at P.O. Box 410, Johnston, Iowa, 50131-0410 (hereinafter referred to as "City").

WHEREAS, OWNER wishes to develop certain property lying within the City of Johnston, Iowa described as follows:

LOTS 14 AND 15 AND THE WEST 51.05 FEET OF LOT 13, WINDSOR OFFICE PARK PLAT 1, BEING AN OFFICIAL PLAT IN THE CITY OF JOHNSTON, POLK COUNTY, IOWA AND CONTAINING 4.223 ACRES. (183,934 S.F.)

(hereinafter referred to as the "OWNER'S PROPERTY")

WHEREAS, it is OWNER'S intent to have OWNER'S PROPERTY rezoned to the R-3, Medium Density Multiple Family Residential Zoning District to facilitate the development of OWNER'S PROPERTY into a residential community; and,

WHEREAS, rezoning OWNER'S PROPERTY has the potential to have adverse impacts on the existing single-family detached residential neighborhood in vicinity to OWNER'S PROPERTY; and,

WHEREAS, the City is willing to rezone OWNER'S PROPERTY to facilitate its development as long as OWNER agrees to certain conditions; and

WHEREAS, the parties agree that the City has a right to require this Development Agreement under the provisions of Iowa Code Section 414.5 and that all requirements of said Section 414.5 have been met and complied with; and

NOW THEREFORE, pursuant to the authority granted to the City of Johnston by Iowa Code Section 414.5 and in consideration of the proposed development and increased tax base to the City and other good and valuable consideration, receipt and sufficiency of which are hereby acknowledged, the parties agree as follows:

1. **RESTRICTED USE OF OWNER'S PROPERTY**. OWNER hereby agrees with the CITY that OWNER'S PROPERTY shall be used only for townhouses. Townhouse means a dwelling unit which is attached horizontally, and not vertically, to one or more dwelling units, wherein the land or lot beneath each dwelling is individually owned by the owner of the dwelling. A townhouse

subdivision shall have common elements which are specified in or determined under the rules and regulations set forth by recorded covenants. Covenants for a townhouse subdivision shall establish guidelines for maintenance of common elements and permit free movement through common areas by members of the homeowner's association (council of co-owners) to assure access to the structural exterior of each townhouse unit by the individual unit owner.

2. **AMENDMENTS.** No amendments or variations of the terms of this AGREEMENT shall be valid or binding unless made in writing and executed by a duly authorized representative of each party to be bound thereto.

3. **BINDING EFFECT.** This AGREEMENT is binding upon the parties hereto and their respective successors and assigns. The parties further agree that this AGREEMENT may be filed with the Polk County Recorder so as to be part of a public record and notify third parties of the terms contained herein.

4. **EFFECTIVE DATE.** The OWNER and the CITY hereby agree that this AGREEMENT shall not become effective until recorded with the Office of the Polk County Recorder and following publication of Ordinance 974 by the CITY in accordance with the Iowa Code.

5. **VALIDITY OF AGREEMENT.** If any term of this AGREEMENT is deemed or ruled invalid by a court of law for any reason, the parties agree that there would be a failure of consideration and that this AGREEMENT would be null and void.

WHEREFORE, the parties have executed this AGREEMENT on the date and year written above.

CITY OF JOHNSTON

ATTEST:

By: 


Paula S. Dierenfeld, Mayor

By: 

Cyndee Rhames, City Clerk

STATE OF IOWA, POLK COUNTY, ss:

On this 17th day of April, 2017, before me the undersigned, a Notary Public in and for the State of Iowa, personally appeared Paula S. Dierenfeld and Cyndee Rhames, to me personally known, who, being by me duly sworn, did say that they are the Mayor and City Clerk, respectively, of the **City of Johnston, Iowa**; that the seal affixed to the foregoing instrument to which this is attached is the corporate seal of the City; that the instrument was signed and sealed on behalf of the City by authority of its City Council, as contained in Resolution No. 17-23 passed the City Council on the 17th day of April, 2017, and that Paula S. Dierenfeld and Cyndee Rhames, as such officers, acknowledged the execution of the instrument to be the voluntary act and deed of the City, by it and by them voluntarily executed.


Notary Public in and for the State of Iowa



TERESA L. OSBURNE
Commission Number 719199
My Commission Expires
OCTOBER 23, 2017

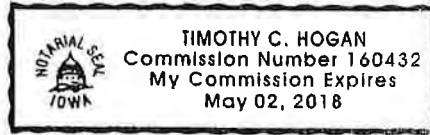
Windsor Office Park, LLC

By: [Signature]
Harry R. Wolf, Vice President

STATE OF IOWA, POLK COUNTY, ss:

On this 14 day of APRIL, 2017, before me, the undersigned, a Notary Public in and for the State of Iowa, personally appeared Harry R. Wolf to me personally known, who, being by me duly sworn, did say that he is the Vice President of Windsor Office Park, LLC executing the within and foregoing instrument; and that he acknowledged the execution of said instrument to be his voluntary act and deed of the members and managers of said corporation.

[Signature]
Notary Public, In and For the State of Iowa





OFFICE OF THE CITY ADMINISTRATOR
Johnston, Iowa
AGENDA COMMUNICATION

Item No. 96

May 15, 2017

SUBJECT: Consider Resolution 17-152 approving the Preliminary Plat for Ewing Johnston Plat 1 and Site Plan for Vintage Cooperative (PZ Case 17-19).

ACTION REQUIRED:

- Ordinance
- Resolution
- Approval
- Receive/File
- Attorney Rvw

Aaron W.

SYNOPSIS:

Ewing Land Development and Services, LLC, has submitted a site plan/preliminary plat for development of a 47-unit senior housing cooperative on lots 12-13 of Windsor Office Park. The facility is three-stories in height and totals 114,341 s.f. (including 28,952 s.f. of indoor parking). The preliminary plat depicts the consolidation of lots 12 and 13 of Windsor Office Park into new lot 2 and lots 14 and 15 of Windsor Office Park into new lot 1 of Ewing Johnston Plat 1. The final plat will be presented to the council at a later date.

RECOMMENDATION:

The Planning & Zoning Commission considered this item at their meeting on May 8, 2017 and voted to recommend approval by a vote of 4 yes votes to 0 no votes (3 members were absent) subject to the following conditions:

1. The project shall be in conformance and in accordance with the requirements, standards and regulations of the City of Johnston, and any other requirement of state or federal law or administrative rule.
2. A Storm Water Pollution Prevention Plan, Evidence of NPDES Permit from the Iowa DNR and a City Grading Permit shall be provided prior to any ground disturbing activity on the site.
3. Council waiver of 20 parking stalls.
4. Council waiver of the north buffer requirement.
5. Council approval of a final plat depicting the consolidation of lots 12-13 of Windsor Office Park.
6. The site plans must be amended and the following items shall be completed prior to the issuance of a building permit:
 - a. ~~The applicant must submit a request to the council justifying waiver of 20 parking stalls.~~
 - b. Staff recommends a condition of approval to revise notes on sheet 7 to indicate the east-adjacent property is zoned PC, professional commerce park in lieu of R-3 and to correct the number of shrubs required per 100 lineal feet to 8 in lieu of 16 and to correct the number of understory trees required per 100

#5 has been added post-consideration of the planning commission as final plat approval is delayed

A letter addressing #6a is attached

lineal feet to 4 in lieu of 6.

- c. Staff recommends a condition of approval to correct the calculations provided on sheet 7 to change the number of shrubs required per 100 lineal feet to 8 in lieu of 16 and to correct the number of understory trees required per 100 lineal feet to 4 in lieu of 6.
- d. Amend the landscape plan to correct inconsistencies between the number of *Ostrya Virginiana* shown on the site plans (3), the label indicating the number shown on the site plans (2) and the number indicated in the plant schedule (4).
- e. Amend the landscape plan to correct inconsistencies between the number of *Ostrya Virginiana* shown on the site plans (3), the label indicating the number shown on the site plans (2) and the number indicated in the plant schedule (4).
- f. Applicant shall submit a photometric layout for paved areas only and one for the entire site and shall provide an unobscured statistical table indicating the uniformity ratio average:minimum does not exceed 6:1 and the ratio of maximum:minimum does not exceed 20:1.
- g. Address comments from Foth's review letter dated May 5, 2017.
- h. Applicant shall submit a stormwater management maintenance agreement.

Attachments:

- Vicinity Map;
- Site Plans, prepared by Snyder and Associates, revised April 7, 2017;
- Elevations prepared by JSSH Architects, inc. April 21, 2017;
- Development Review Comments by Staff dated April 18, 2017;
- Development Review Comments by Foth Infrastructure & Environment, LLC dated April 19, 2017;
- Mailing List and copy of mailing notice

RESOLUTION 17-152

A RESOLUTION APPROVING THE PRELIMINARY PLAT FOR EWING JOHNSTON PLAT 1 AND SITE PLANS FOR VINTAGE COOPERATIVE AT 9001 WINDSOR PARKWAY

WHEREAS, the Planning & Zoning Commission has reviewed this request during its regular meeting on May 8, 2017, and recommends approval of PZ Case No. 17-19 subject to conditions.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF JOHNSTON, IOWA, that, the site plans and preliminary plat for Vintage Cooperative are approved subject to the following conditions:

1. The project shall be in conformance and in accordance with the requirements, standards and regulations of the City of Johnston, and any other requirement of state or federal law or administrative rule.
2. A Storm Water Pollution Prevention Plan, Evidence of NPDES Permit from the Iowa DNR and a City Grading Permit shall be provided prior to any ground disturbing activity on the site.
3. Council waiver of 20 parking stalls.
4. Council waiver of the north buffer requirement.
5. Council approval of a final plat depicting the consolidation of lots 12-13 of Windsor Office Park.
6. The site plans must be amended and the following items shall be completed prior to the issuance of a building permit:
 - a. Staff recommends a condition of approval to revise notes on sheet 7 to indicate the east-adjacent property is zoned PC, professional commerce park in lieu of R-3 and to correct the number of shrubs required per 100 lineal feet to 8 in lieu of 16 and to correct the number of understory trees required per 100 lineal feet to 4 in lieu of 6.
 - b. Staff recommends a condition of approval to correct the calculations provided on sheet 7 to change the number of shrubs required per 100 lineal feet to 8 in lieu of 16 and to correct the number of understory trees required per 100 lineal feet to 4 in lieu of 6.
 - c. Amend the landscape plan to correct inconsistencies between the number of Ostrya Virginiana shown on the site plans (3), the label indicating the number shown on the site plans (2) and the number indicated in the plant schedule (4).
 - d. Amend the landscape plan to correct inconsistencies between the number of Ostrya Virginiana shown on the site plans (3), the label indicating the number shown on the site plans (2) and the number indicated in the plant schedule (4).
 - e. Applicant shall submit a photometric layout for paved areas only and one for the entire site and shall provide an unobscured statistical table indicating the uniformity ratio average:minimum does not exceed 6:1 and the ratio of maximum:minimum does not exceed 20:1.
 - f. Address comments from Foth's review letter dated May 5, 2017.
 - g. Applicant shall submit a stormwater management maintenance agreement.

PASSED AND APPROVED this 15th day of May, 2017.

PAULA S. DIERENFELD, MAYOR

ATTEST:

CYNDEE RHAMES, CITY CLERK

<u>ROLL CALL VOTE:</u>	<u>Aye</u>	<u>Nay</u>	<u>Absent</u>	<u>Abstain</u>
Brown	—	—	—	—
Clabaugh	—	—	—	—
Cope	—	—	—	—
Lindeman	—	—	—	—
Temple	—	—	—	—

APPLICANT/OWNER: Ewing Land Development and Services, LLC.
909 West 16th Street
Pella, IA 50219

REPRESENTATIVES: Eric Cannon
Snyder and Associates, Inc.
2727 SW Snyder Blvd

BACKGROUND & PRIOR APPROVALS: The property was originally zoned to PUD, Planned Unit Development, via Ordinance 652, on August 23, 2002. The subject property was platted as part of Windsor Office Park Plat One on November 18, 2002.

There have been several rezoning requests for the subject property since 2005. In 2015 there was a request to rezone the entirety of the subject property from PUD to R-4, High Density Multiple Family Residential Zoning District. The request consisted of a comprehensive plan amendment from Business park to High Density Residential and the associated rezoning to R-4, High Density Multiple Family Residential Zoning District. The Planning and Zoning Commission had voted to deny the request for a comprehensive plan amendment. Since the rezoning would be inconsistent with the comprehensive plan per the Planning and Zoning Request the rezoning was in effect denied. The comprehensive plan amendment proceeded to the City Council for Consideration. The City Council acted to table the item to allow for further study of the allocation of high density properties throughout the City of Johnston. Both the Comprehensive Plan amendment and the rezoning request were withdrawn by the applicant prior to action on the items by the City Council.

The City Council initiated a future land use map amendment and an Official Zoning Map Amendment at their March 6, 2017 meeting.

On April 17, 2017, The Johnston City Council approved a Development Agreement with Windsor Office Park, LLC restricting allowed uses of Lots 14 and 15 and the west 51.05 feet of Lot 13, Windsor Office Park, to allow townhomes only. A second development agreement was approved for Lots 12 and 13 except the west 51.05 feet of lot 13 restricting allowed uses to "housing for older persons," which is defined as follows by Section 807.b.2 [42 U.S.C. 3607] of the Fair Housing Act as a condition for rezoning to R-4, High Density Residential District 17-124.

At the same meeting the Johnston City Council approved Resolution 17-125 approving amendment #11 to the Johnston 2030 Comprehensive Plan Future Land Use Map for approximately 7.918 acres located north of Windsor Parkway and west of NW 90th street.

Also at the April 17, 2017 meeting, the Johnston City Council approved

ZONING DISTRICT &
BULK
REQUIREMENTS:

Ordinance 974 approving the first reading of an Official Zoning Map amendment for approximately 4.223 acres from PUD to R-3 and for approximately 3.694 acres from PUD to R-4.

Proposed Lot 1 is the subject of a current rezoning request for uses of the R-3, Medium Density Multiple Family Residential Zoning District. Proposed Lot 2 is part of the same rezoning action for uses of the R-4, High Density Multiple Family Residential Zoning District. The council preceded action on the rezoning request with execution of a development agreement restricting uses of the R-3 property to that of townhomes, and the R-4 property to that of “housing for older persons”.

The following are the bulk regulations for the permitted uses in each zoning district:

Use	Maximum Building Height	Minimum Lot Area	Minimum Lot Width	Front Yard Setback	Side Yard Setback	Rear Yard Setback
R-3 Single Family Bi-Attached	35'	12,500'	100'	50'	10'/20'	35'

*Maximum density of 7.0 dwelling units per acre

Use	Maximum Building Height	Minimum Lot Area	Minimum Lot Width	Front Yard Setback	Side Yard Setback	Rear Yard Setback
R-4 Townhomes, Condos, Multiple unit Dwellings	50'	80,000'	200'	50'	35'/70'	50'

*Maximum density of 16.0 dwelling units per acre

* Site plan review required

TRAFFIC ACCESS &
CIRCULATION:

The proposed facility has one access point from Windsor Parkway. Said access is positioned either side of the shared lot line between proposed lots 1 and 2 and will function as a shared access when Lot 1 develops in the future

PEDESTRIAN
CIRCULATION &
SIDEWALKS/TRAILS:

Public sidewalk will be installed along both the NW 90th Street and Windsor Parkway frontages. A sidewalk easement is needed to accommodate a small portion of the sidewalk near the intersection of Windsor Parkway and NW 90th Street on account of narrow right-of-way. An internal sidewalk loop around the rear of the building connects back to the public walk on both streets.

**PARKING AND
LOADING:**

Off-street parking and loading must meet the regulations found in Chapter 166.33.3.A.14 of Johnston's Code of Ordinances. Chapter 166.33(7)b of the City of Johnston Code of Ordinances addresses parking requirements for multi-family structures. Said code chapter mandates two parking stalls per unit plus one additional stall for every ten units. Therefore, the parking requirement is 99 parking stalls.

The site plans indicate 57 underground spaces and 22 surface parking stalls for a total of 79. The applicant has submitted a letter requesting council waiver of 20 parking stalls, citing past experience with senior housing projects. The Code of Ordinances does grant the City Council the ability to relax or waive any portion of the off-street parking requirements (166.33.4) and there is precedence for doing so with past senior housing projects (Cornerstone Commons and Edencrest). Staff recommends council approval of the site plans as depicted with 79 parking stalls.

PUBLIC UTILITIES:

An 8" connection from existing service stub will provide domestic and fire service to the building. A second 8" connection will be bored under Windsor Parkway to facilitate installation of a hydrant near the site access.

Sanitary Sewer will connect to existing service stub.

FIRE PROTECTION:

Two hydrants will be installed internal to the site to provide fire service coverage. Based upon the size and use of the building, it is required to be sprinkled.

FLOODPLAIN:

This site is not located within the 100-year or 500-year floodplain.

DRAINAGE:

Chapter 180.37, Storm Drainage Facilities, of the City of Johnston Code of Ordinances requires that stormwater facilities be designed to convey drainage through the site equivalent to the 100-year storm in a developed state. Furthermore, on-site drainage facilities shall be designed to provide sufficient detention facilities to reduce to release rate to the equivalent of a 5-year recurrence interval storm when the property was in an undeveloped state.

A wet-bottom detention pond will be located along the east property line to provide detention, channel protection and water quality for the site. Intakes gather drainage from the parking lot and rooftop and channel through storm sewer to the basin. Drainage from the west-adjacent property will be channeled through storm sewer to a stilling basin at the northwest corner of the site and will outlet through stormsewer to the basin along the east property line. The east basin outlets to city stormsewer on the west side of NW 90th Street and, eventually, to the drainageway north of the subject property.

ARCHITECTURE:

Chapter 166.35 of the City of Johnston Code of Ordinances regarding architectural standards mandates multiple-family buildings shall be designed in a manner compatible with residential uses in the vicinity and shall attempt to lessen “plainness of appearance”. Toward this end, architectural design is encouraged to utilize the following design techniques as appropriate:

1. Exterior building materials shall employ a variety of textures and colors and window and door details.
2. The roof shall be principally of gable, hip style or similar residential roof design.
3. The structures’ perimeter shall be varied when multiple buildings are proposed.
4. Multiple buildings shall be sited at angles with one another.

The elevation drawings submitted appear to illustrate compatibility with adjacent residential uses. The structure utilizes cross-gable roofing with a mix of asphalt shingles and standing seam metal roofing. Exterior wall materials include fiber cement shingle panels, stone veneer, fiber cement horizontal lap siding, and brick veneer. This variety of building materials appears to lend a variety of textures and color in satisfaction of the above-listed code requirements.

OPEN SPACE AND LANDSCAPING:

Lot 2 is 3.69-acres in size, or 160,930 s.f. Residential districts are required to designate 30 percent of the total area to open space (or 48,279 s.f. of the subject property). The proposed site plan is in compliance with 111,732 square feet (69% of total site area).

For the purposes of calculating the open space landscaping requirement, the Code of Ordinances does allow buffers to be subtracted from the total lot area; therefore, the open space landscaping requirement is calculated as follows:

- Trees (1 per 1,500 sq. ft. of required open space): $141,484$ (total lot area minus buffer area) $\times 30\% = 42,445 / 1,500 = 28$ trees, 11 of which must be 2”-2.5” caliper and 17 of which must be 8’ -10’ in height.
- Shrubs (1 per 1,000 sq. ft. of required open space): $42,445 / 1000 = 42$ shrubs.

Sheet 7 of 8 provides an open space landscaping list. The required number of plantings vs. provided is depicted in the table below:

Open Space	Required	Provided
Trees 2 to 2.5” caliper or 6’ evergreen	11	11
Trees 8’ to 10’ in height or 6’ evergreen	17	17
Shrubs	42	43

BUFFERS

Staff recommends a condition of approval to amend the landscape plan to correct inconsistencies between the number of Ostrya Virginiana shown on the site plans (3), the label indicating the number shown on the site plans (2) and the number indicated in the plant schedule (4).

Buffers are required between differing land uses as indicated in Chapter 166.34 of the City of Johnston Code of Ordinances.

Lot 1: No buffer is required between the proposed R-3 uses of Lot 1 and R-4 uses of Lot 2. A 20’ buffer is required between any future R-3 use to be constructed on Lot 1 and the west and north-adjacent R-1 uses. The entirety of both buffers must be accommodated on Lot 1 as both adjacent sites are already developed. In addition, a 30’ buffer is also required between proposed lots 1 and the south-adjacent PC uses opposite Windsor Parkway (15’ of which shall be placed on subject property). Any buffer to be constructed on Lot 1 will be reviewed with future development proposal.

Lot 2 North Buffer: A 20’ buffer is required between the proposed senior housing cooperative on Lot 2 and the north-adjacent R-1 uses. The entirety of the buffer requirement must be accommodated on Lot 1 as the north-adjacent lots are already developed. The north-adjacent property is shown as “Business Park” on the Johnston 2030 Comprehensive Plan Future Land Use Map and could redevelop in the future; however, that portion of the property that is immediately adjacent to Lot 2 is separated from the remainder of the property by a wooded drainageway. This drainageway effectively renders between 150’-250’ feet or more of the property undevelopable. The applicant has requested council waiver of the north buffer citing these conditions (see aerial exhibit). Staff concurs with the applicant’s request, as distance can serve as an effective buffer, and recommends such a condition of approval.

Lot 2 East Buffer: A 30’ buffer is required between proposed lot 2 and the east-adjacent PC uses opposite NW 92nd Street (15’ of which shall be placed on subject property). Sheet 7 of 8 provides a plant schedule. The required number of plantings vs. provided is depicted in the table below:

East (15’)	Req. per 100’	Required	Provided
Evergreen	1.5	6	6
Overstory	.5	2	2
Understory	2	8	13
Shrubs	4	16	32

Staff recommends a condition of approval to revise notes on sheet 7 to indicate the east-adjacent property is zoned PC, professional commerce park in lieu of R-3 and to correct the number of shrubs required per 100

lineal feet to 8 in lieu of 16 and to correct the number of understory trees required per 100 lineal feet to 4 in lieu of 6.

Lot 2 South Buffer: A 30' buffer is also required between lot 2 and the south-adjacent PC uses opposite Windsor Parkway (15' of which shall be placed on subject property). The following tables illustrate required vs. provided buffer area plantings, in accordance to Chapter 166.34:

South (20')	Req. per 100'	Required	Provided
Evergreen	1.5	6	6
Overstory	.5	2	2
Understory	2	8	12
Shrubs	4	16	32

Staff recommends a condition of approval to correct the calculations provided on sheet 7 to change the number of shrubs required per 100 lineal feet to 8 in lieu of 16 and to correct the number of understory trees required per 100 lineal feet to 4 in lieu of 6.

NPDES PERMIT:

A SWPPP and NPDES Permit for this site must be provided and approved by City Staff and the applicant must obtain a city grading permit prior to any ground disturbing activity.

SITE LIGHTING:

A photometric layout was submitted for paved areas of the site. The photometric includes cut sheets for the proposed lighting depicting downcast pole lights and downcast wall packs which appear to meet the "full cutoff" site lighting requirements of the code of ordinances. However, staff cannot verify that the ration of avg:min and max:min meet site lighting requirements as text is obscuring the statistical table. Staff recommends a condition of approval requiring submittal of a photometric layout for the entire site AND paved areas only with the statistical table unobscured.

ADJACENT OWNER NOTICE:

Notice was sent to the properties adjacent to this site to make them aware of the proposed development. A copy of the notice and mailing list are attached; to date no comments have been received.

CONSULTANT COMMENTS:

Foth Infrastructure & Environment, LLC has reviewed the Site Plan and offered comments in their May 5, 2017 letter. Staff recommends a condition of approval requiring all outstanding issues be addressed prior to the issuance of a building permit.

PLAT SUMMARY:

Lots:	2
Area:	7.92 Acres
Area of Streets:	N/A
Other Area Dedicated:	N/A
Outlot Area:	N/A
Net Area in Lots	7.92 Acres
Net Average Lot Area:	172,432
Length of Street:	N/A
Length of Water Main:	N/A
Length of Sanitary Sewer:	N/A
Length of Storm Sewer:	N/A

FINAL
DOCUMENTATION:

The following documents must be submitted for review a minimum of six (6) working days prior to the City Council meeting in which this item will be considered at:

- Attorney's Title Opinion
- Polk County Treasurer's Tax Certificate
- Consent to Plat (Owner)
- Consent to Plat [Lender (If Applicable)]
- Sanitary Sewer Easement
- Private Water Main Easement
- Ingress/Egress Access Easement

Aaron Wolfe

From: Jason Ledden <jledden@snyder-associates.com>
Sent: Friday, May 05, 2017 4:10 PM
To: Aaron Wolfe
Cc: Josh; Eric Cannon; Nick Crall
Subject: Ewing Johnston Parking Requirements

Aaron,
Oh behalf of Josh Cowman at Ewing development please find the following request for a waiver of the parking stall requirements on the Ewing Johnston site plan.

Based on the age restriction of the units to 55 and older, and experience at previous facilities the owner has found the best option to determine parking requirement needs for their facilities to be based on the following calculations: 1 space per unit and 1 space per 4 units for guest parking. Based on this calculation the parking stalls required for this site would be as follows:

47 units x 1 space per unit = 47 spaces required
47 units / 4 units per space = 12 spaces required
58 Total Spaces required
79 Total Spaces provided

Feel free to contact me or Josh should you have any questions or need any additional information.

Thank You and have a good weekend,

Jason A. Ledden, E.I.
Civil Engineer

SNYDER & ASSOCIATES, INC.
P: 515.964.2020 x2650 | C: 269.377.9205
2727 SW SNYDER BLVD, P.O. BOX 1159, ANKENY, IA 50023



NOTICE: This E-mail (including all attachments) is covered by the Electronic Communications Privacy Act, 18 U.S.C. §§ 2510-2521, is confidential and may contain legally privileged information. If you are not the intended recipient, you are hereby put on notice that any retention, dissemination, distribution, or copying of this communication or any part thereof is strictly prohibited. Please call or reply to the sender immediately that you have received this message in error, then permanently delete it.

Aaron Wolfe

From: Jason Ledden <jledden@snyder-associates.com>
Sent: Monday, May 08, 2017 4:33 PM
To: Aaron Wolfe
Cc: josh cowman; Eric Cannon
Subject: Ewing Johnston Landscape Buffer

Aaron,

Ewing Land Development and Services, LLC are requesting a waiver of the north landscape buffer between the proposed Ewing Johnston Plat 1 and the existing single family lots located along NW 62nd Avenue. Due to the close proximity of the existing creek on the northern properties, the existing tree coverage, and the extreme slopes between Ewing Johnston Plat 1 and the creek, development of the land between this Plat and the creek is unlikely. Design calculations of this buffer will be included in the site plan documents should the city deem a buffer necessary in the future. Feel free to contact myself or Josh Cowman with Ewing Land Development should you have any questions.

Thank You,

Jason A. Ledden, E.I.
Civil Engineer

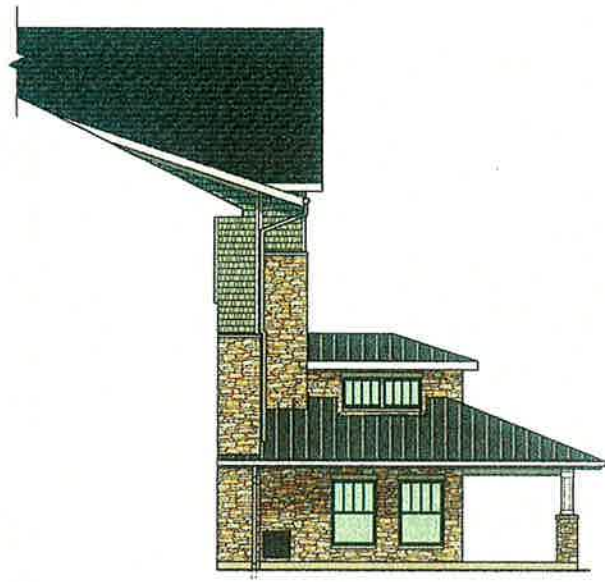
SNYDER & ASSOCIATES, INC.
P: 515.964.2020 x2650 | C: 269.377.9205
2727 SW SNYDER BLVD, P.O. BOX 1159, ANKENY, IA 50023



NOTICE: This E-mail (including all attachments) is covered by the Electronic Communications Privacy Act, 18 U.S.C. §§ 2510-2521, is confidential and may contain legally privileged information. If you are not the intended recipient, you are hereby put on notice that any retention, dissemination, distribution, or copying of this communication or any part thereof is strictly prohibited. Please call or reply to the sender immediately that you have received this message in error, then permanently delete it.

Vintage Cooperative and Ewing Johnston Plat 1





FRONT ENTRY SIDE ELEVATION - FACING WEST



FRONT ENTRY ELEVATION - FACING SOUTH




NORTH REAR ELEVATION - FACING NORTH



REAR ELEVATION - FACING NORTHWEST
1/8" = 1'-0"

**CITY OF JOHNSTON
COMMUNITY DEV. DEPT.**
DATE REC'D: 04/20/2017
CASE NO.: PZ17-19



JSSH ARCHITECTS, inc.
14525 highway 7 suite 375
minnetonka, mn. 55345
ph. 952-935-6337 fax. 952-935-0878
email: jssh@jssh.com

I hereby certify that this plan, specification, or report was prepared by me or under my direct supervision and that I am a duly Licensed Architect under the laws of the State of IOWA
Print Name: **ROGER F. JOHNSON**
Signature: _____
Date: _____
License # 5033

revision	date	drawn	checked	rfj
	2/17/2016	ERM	ERM	RFJ

project: VINTAGE COOPERATIVE OF JOHNSTON JOHNSTON, IA

contains: COLOR ELEVATIONS

job no. 16-22

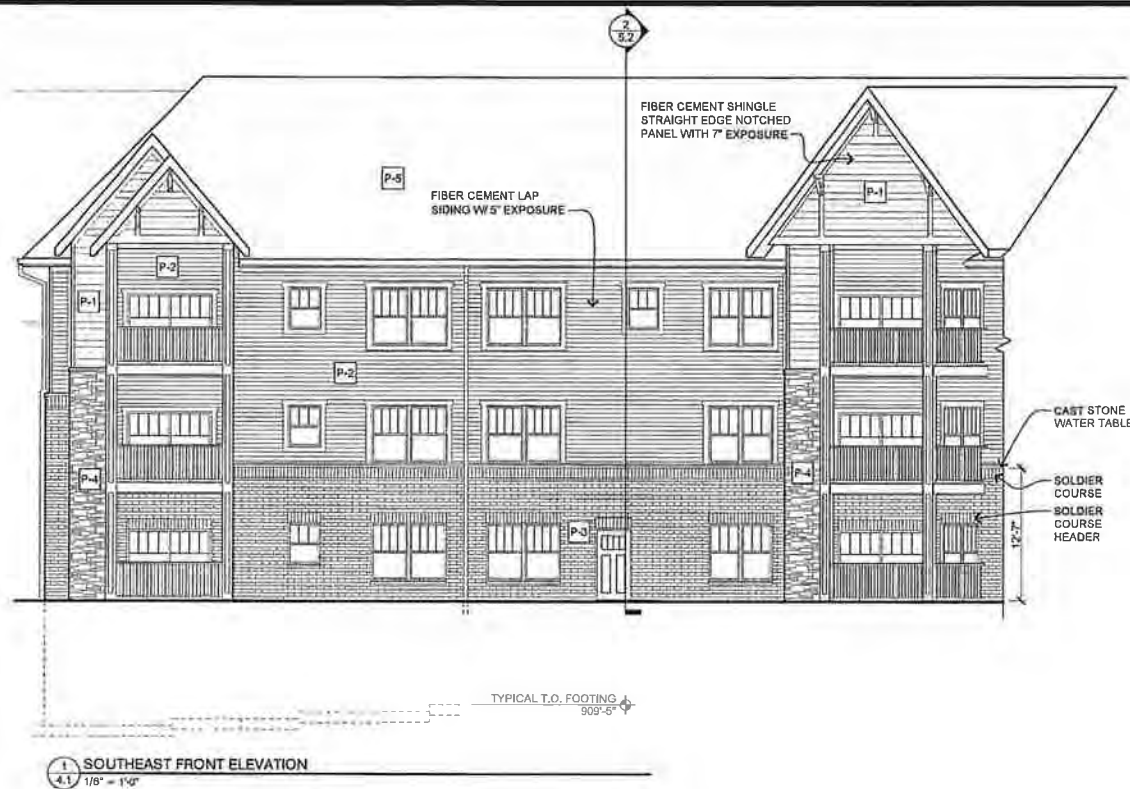
of sheets

3RD FLOOR - T.O. SUB-FLOOR
841'-3.314"

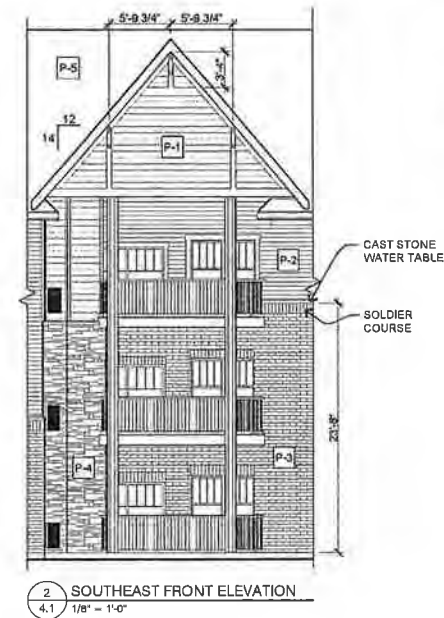
2ND FLOOR - T.O. SUB-FLOOR
830'-6.718"

1ST FLOOR - T.O. PRE-CAST
919'-0"

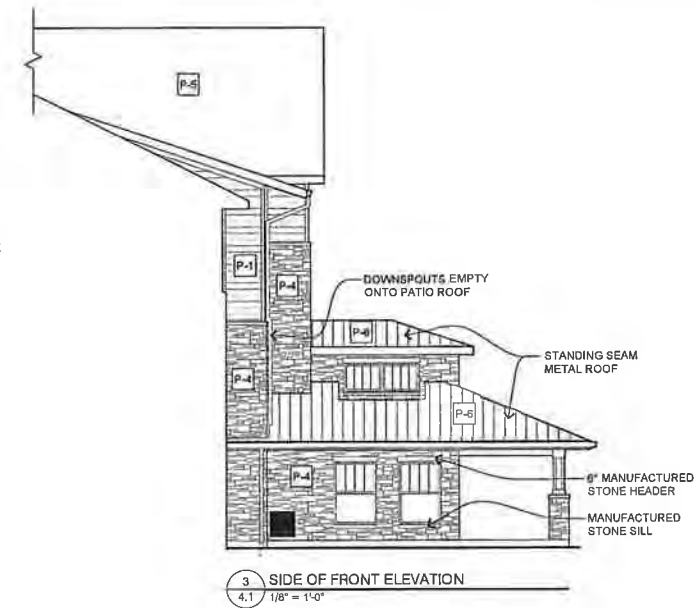
T.O. GARAGE SLAB
909'-0"



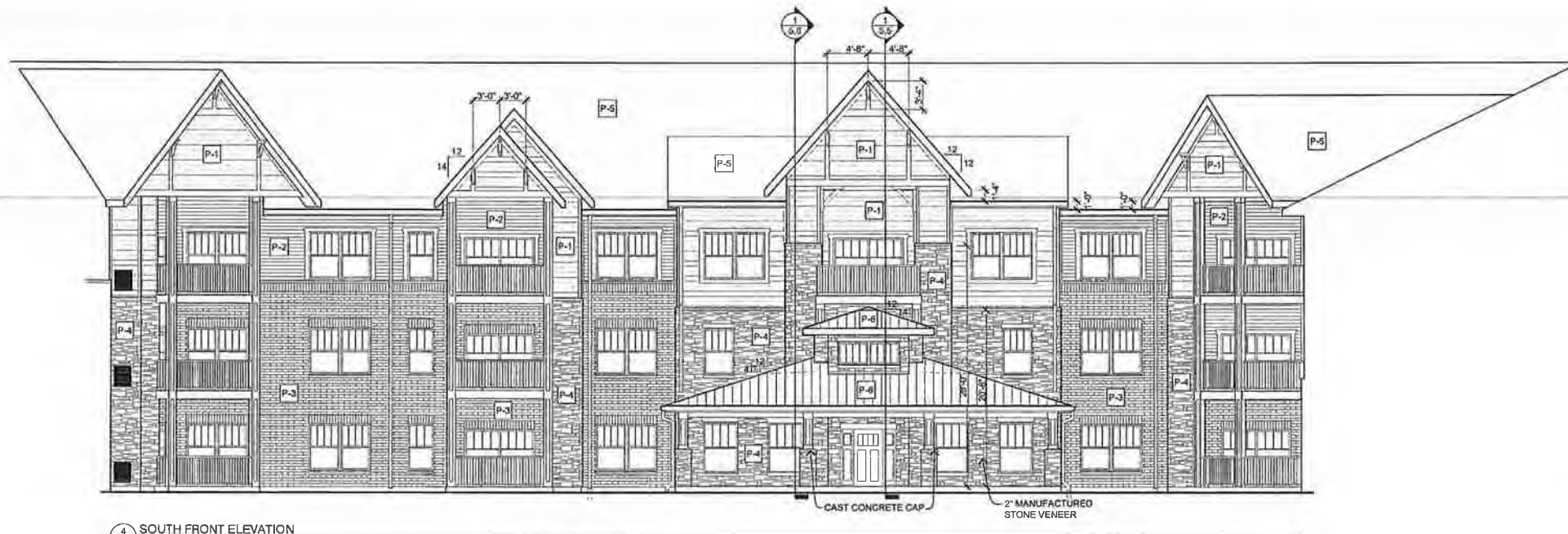
1
4.1
1/8" = 1'-0"



2
4.1
1/8" = 1'-0"



3
4.1
1/8" = 1'-0"



4
4.1
1/8" = 1'-0"



5
4.1
1/8" = 1'-0"

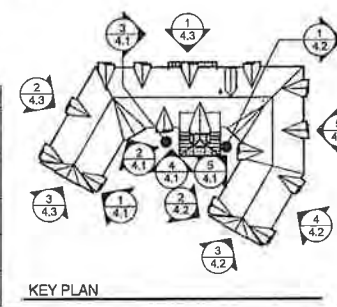
FIBER CEMENT SHINGLES = 3,378 S.F.
BUILDING COVERAGE = 12%

FIBER CEMENT LAP SIDING = 8,120 S.F.
BUILDING COVERAGE = 28%

BRICK VENEER = 9,799 S.F.
BUILDING COVERAGE = 35%

MANUFACTURED STONE VENEER = 6,362 S.F.
BUILDING COVERAGE = 24%

FINISH KEY	
P-1	FIBER CEMENT SHINGLE STRAIGHT EDGE NOTCHED PANEL WITH 7" EXPOSURE - SHERWIN WILLIAMS SW6185 'ESCAPE GRAY' OR APPROVED EQUAL
P-2	FIBER CEMENT LAP SIDING W/ 5" EXPOSURE - SHERWIN WILLIAMS SW6387 'COMPATIBLE CREAM' OR APPROVED EQUAL
P-3	BRICK VENEER - 12" UTILITY NARROW BED IN MOUNTAIN SHADOW SMOOTH by SIOUX CITY BRICK
P-4	2" STONE VENEER - SHADOW ROCK in CHESAPEAKE by ELDORADO STONE
P-5	ASPHALT SHINGLE - TIMBERLINE HD in CHARCOAL by GAF
P-6	STANDING SEAM METAL ROOF - 12" WIDE PANELS in BLACK
	TRIM - SHERWIN WILLIAMS SW7005 'PURE WHITE' OR APPROVE EQUAL
	ACCENT BRACKETS - SHERWIN WILLIAMS SW9168 'ELEPHANT EAR' OR APPROVE EQUAL



KEY PLAN

JSSH

JSSH ARCHITECTS, inc.
14825 Highway 7, Suite 375
Mintline, Minn. 55345
Ph: 952-935-6337 Fax: 952-935-0878
email: jssh@jssh.com

I hereby certify that this plan, specification, or report was prepared by me or under my direct supervision and that I am a duly Licensed Architect under the laws of the State of IOWA
Print Name: **ROGER E. JOHNSON**
Signature: _____
Date: _____ License # 5033

Revisions:
Date: 5/3/2017
Drawn: ERM
Checked: REJ

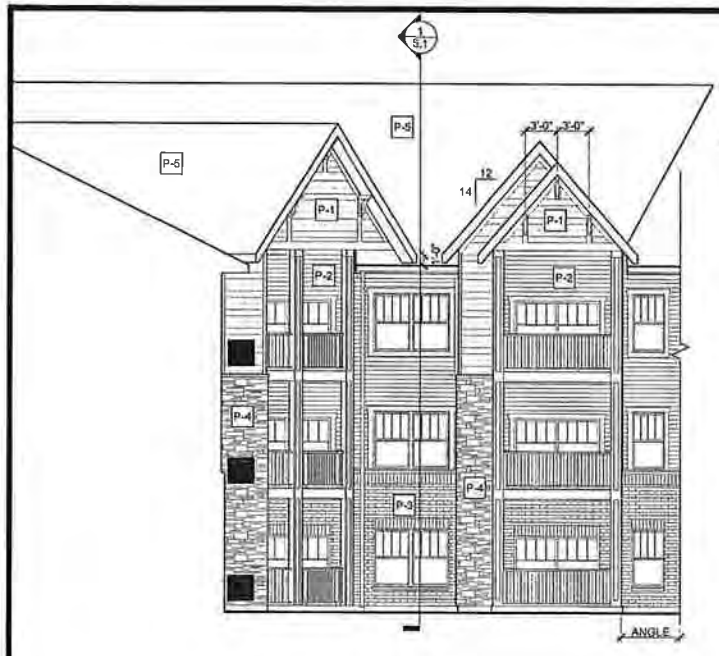
Project: VINTAGE COOPERATIVE OF JOHNSTON OF JOHNSTON, IA

Contents: EXTERIOR ELEVATIONS

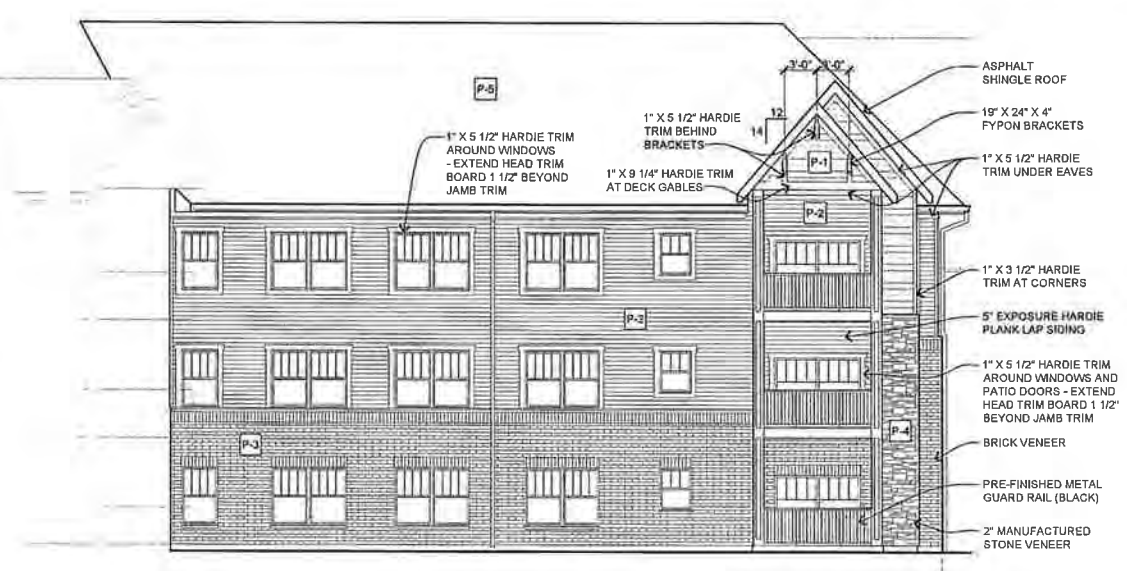
Job no: 16-22

of sheets: 4.1

PRELIMINARY:
NOT FOR CONSTRUCTION



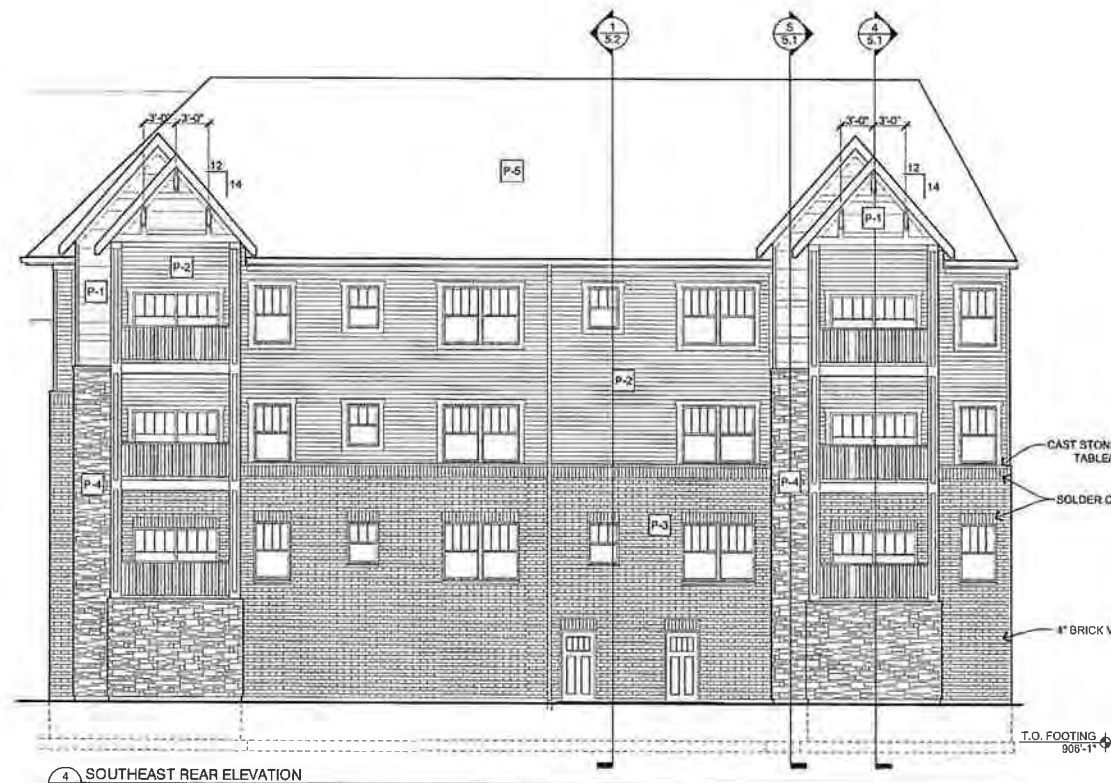
1 WEST FRONT ELEVATION
4.2 1/8" = 1'-0"



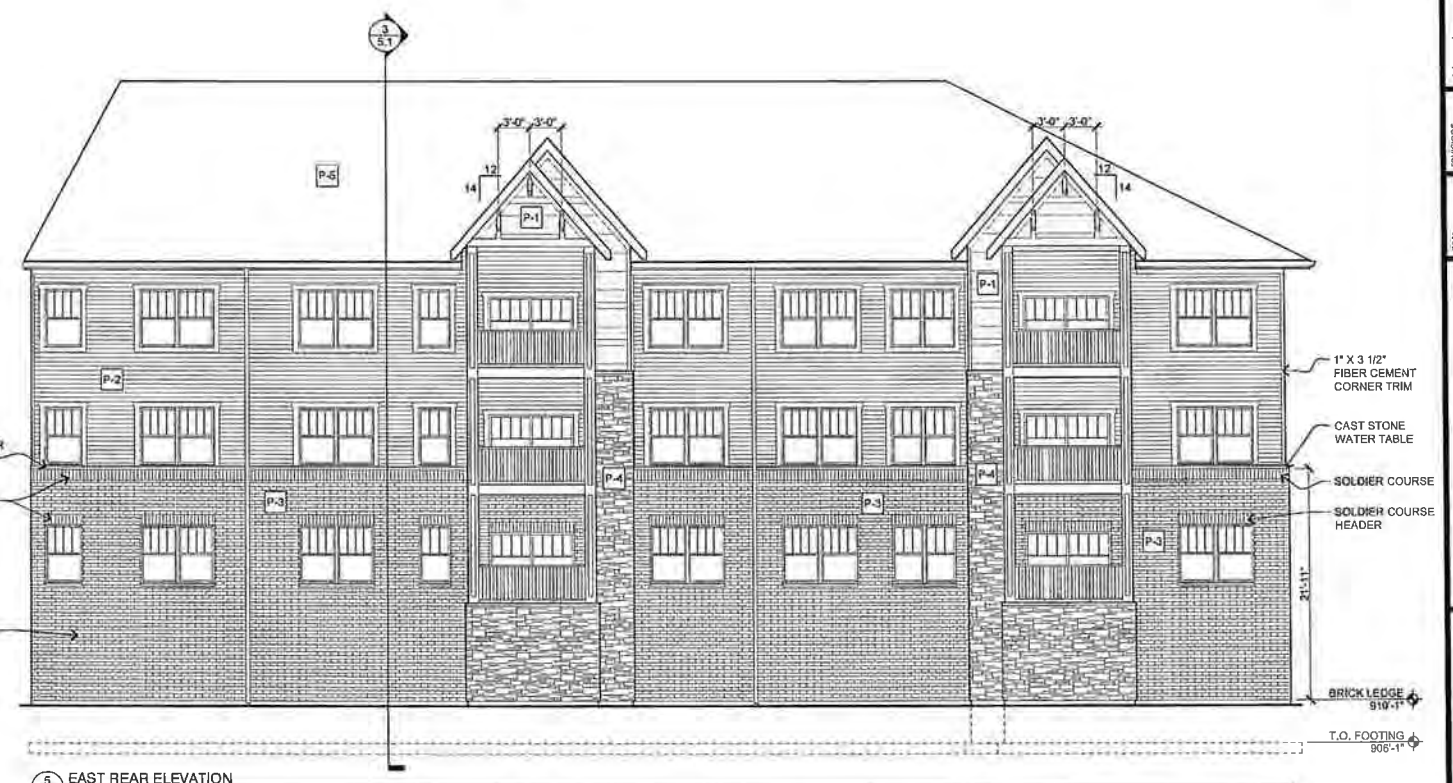
2 NORTHWEST FRONT ELEVATION
4.2 1/8" = 1'-0"



3 SOUTHWEST END ELEVATION
4.2 1/8" = 1'-0"

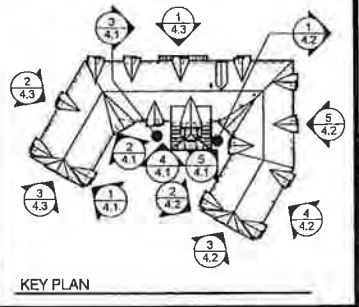


4 SOUTHEAST REAR ELEVATION
4.2 1/8" = 1'-0"



5 EAST REAR ELEVATION
4.2 1/8" = 1'-0"

FINISH KEY	
P-1	FIBER CEMENT SHINGLE STRAIGHT EDGE NOTCHED PANEL WITH 7" EXPOSURE - SHERWIN WILLIAMS SW6185 'ESCAPE GRAY' OR APPROVED EQUAL
P-2	FIBER CEMENT LAP SIDING W/ 5" EXPOSURE - SHERWIN WILLIAMS SW6357 'COMPATIBLE CREAM' OR APPROVED EQUAL
P-3	BRICK VENEER - 12" UTILITY NARROW BED IN MOUNTAIN SHADOW SMOOTH by SIOUX CITY BRICK
P-4	2" STONE VENEER - SHADOW ROCK in CHESAPEAKE by ELDRADO STONE
P-5	ASPHALT SHINGLE - TIMBERLINE HD in CHARCOAL by GAF
P-6	STANDING SEAM METAL ROOF - 12" WIDE PANELS IN BLACK
TRIM - SHERWIN WILLIAMS SW7005 'PURE WHITE' OR APPROVE EQUAL	
ACCENT BRACKETS - SHERWIN WILLIAMS SW6188 'ELEPHANT EAR' OR APPROVE EQUAL	



KEY PLAN



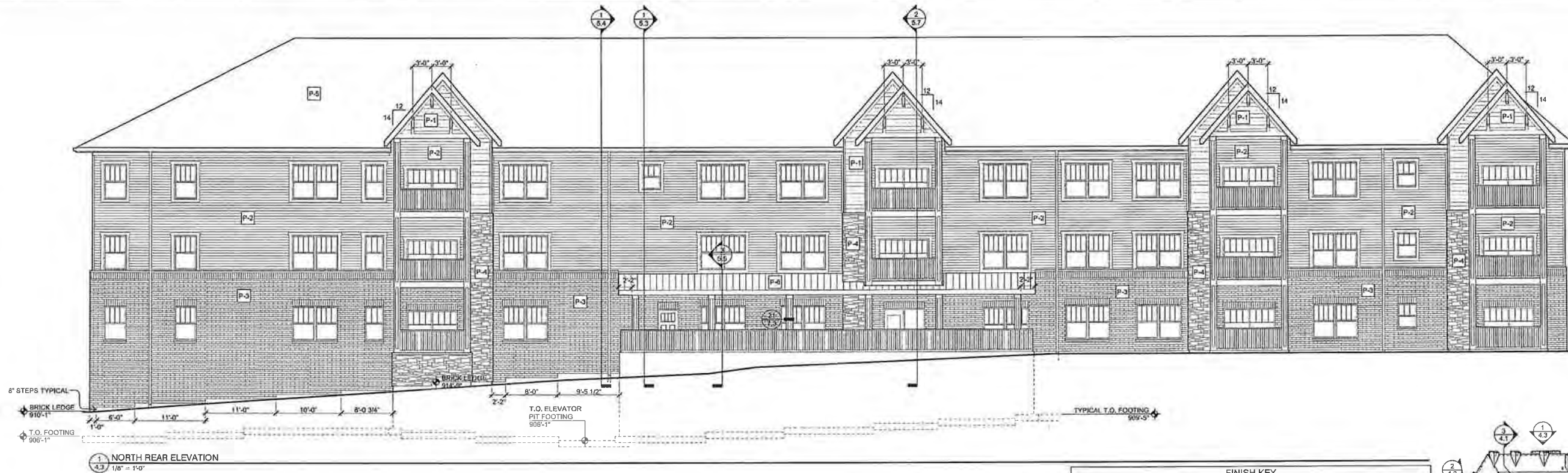
JSSH ARCHITECTS, inc.
 14525 highway 7 suite 375
 minnetonka, mn. 55345
 ph. 952-935-6337 fax. 952-935-0878
 email: jssh@jssh.com

I hereby certify that this plan, specification, or report was prepared by me or under my direct supervision and that I am a duly Licensed Architect under the laws of the State of IOWA.
 Print Name: **ROGER E JOHNSON**
 Signature: _____
 Date: _____ License # 5053

project: **VINTAGE COOPERATIVE OF JOHNSTON OF JOHNSTON, IA**
 date: 5/3/2017
 revision: _____
 drawn: ERM
 checked: RFJ

contents: **EXTERIOR ELEVATIONS**
 sheet no. 16-22
 of sheets **4.2**

PRELIMINARY: NOT FOR CONSTRUCTION



1 NORTH REAR ELEVATION
1/8" = 1'-0"

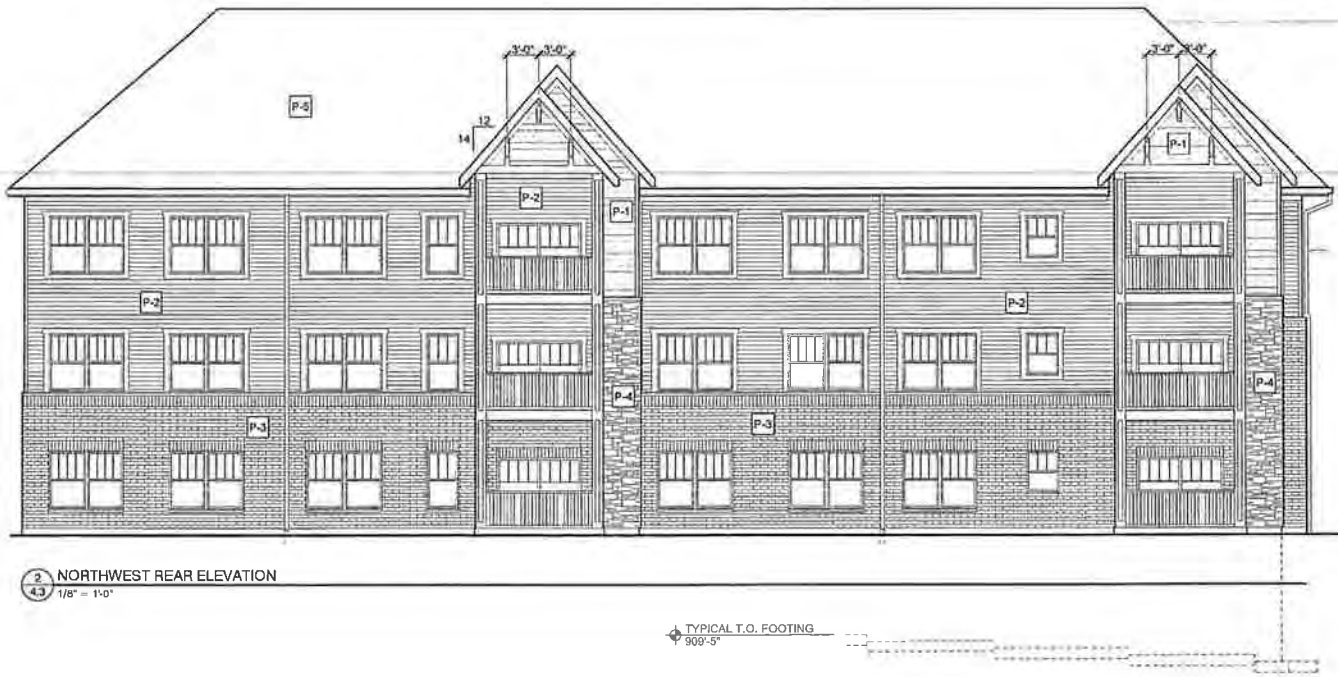
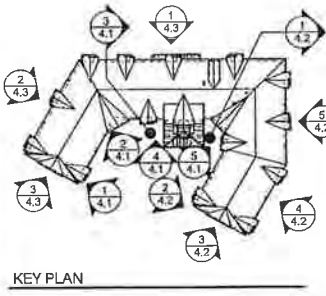
FIBER CEMENT SHINGLES = 3,378 S.F.
BUILDING COVERAGE = 12%

FIBER CEMENT LAP SIDING = 8,120 S.F.
BUILDING COVERAGE = 29%

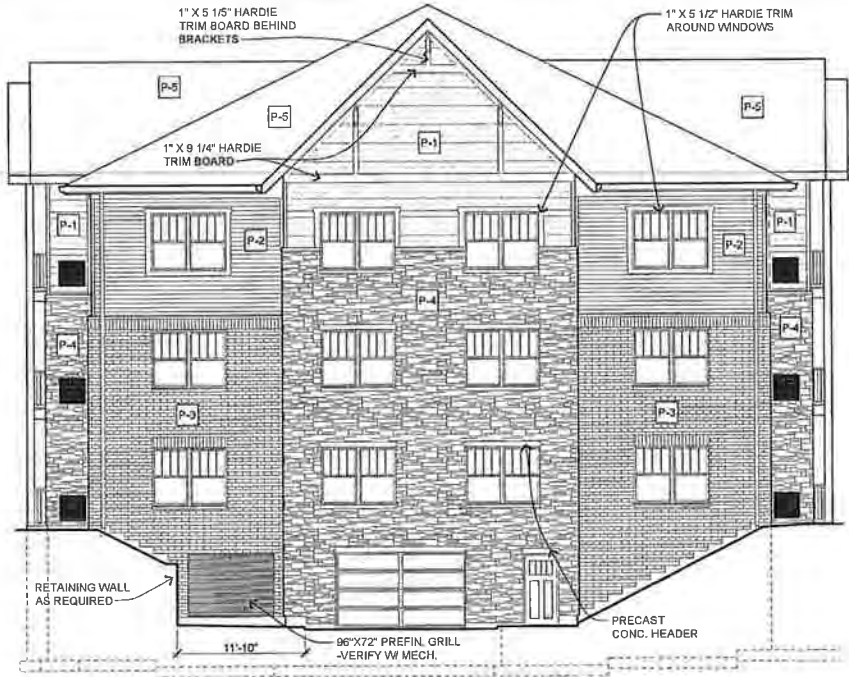
BRICK VENEER = 9,799 S.F.
BUILDING COVERAGE = 35%

MANUFACTURED STONE VENEER = 6,362 S.F.
BUILDING COVERAGE = 24%

FINISH KEY	
P-1	FIBER CEMENT SHINGLE STRAIGHT EDGE NOTCHED PANEL WITH 7" EXPOSURE - SHERWIN WILLIAMS SW6185 'ESCAPE GRAY' OR APPROVE EQUAL
P-2	FIBER CEMENT LAP SIDING W/ 5" EXPOSURE - SHERWIN WILLIAMS SW6387 COMPATIBLE CREAM OR APPROVE EQUAL
P-3	BRICK VENEER - 12" UTILITY HARROW BED IN MOUNTAIN SHADOW SMOOTH BY SIOUX CITY BRICK
P-4	2" STONE VENEER - SHADOW ROCK IN CHESAPEAKE BY ELOORADO STONE
P-5	ASPHALT SHINGLE - TIMBERLINE HD IN CHARCOAL BY GAF
P-6	STANDING SEAM METAL ROOF - 12" WIDE PANELS IN BLACK
	TRIM - SHERWIN WILLIAMS SW7005 'PURE WHITE' OR APPROVE EQUAL
	ACCENT BRACKETS - SHERWIN WILLIAMS SW8168 'ELEPHANT EAR' OR APPROVE EQUAL



2 NORTHWEST REAR ELEVATION
1/8" = 1'-0"



3 SOUTHWEST END ELEVATION
1/8" = 1'-0"

JSSH ARCHITECTS, inc.
14525 highway 7 suite 375
minnetonka, mn. 55345
ph. 952-935-6337 fax. 952-935-0878
email: jssh@jssh.com

License # 5033

revisions

DATE	DESCRIPTION	BY	CHKD
5/3/2017		ERM	RFJ

project: VINTAGE COOPERATIVE OF JOHNSTON JOHNSTON, IA

contents: EXTERIOR ELEVATIONS

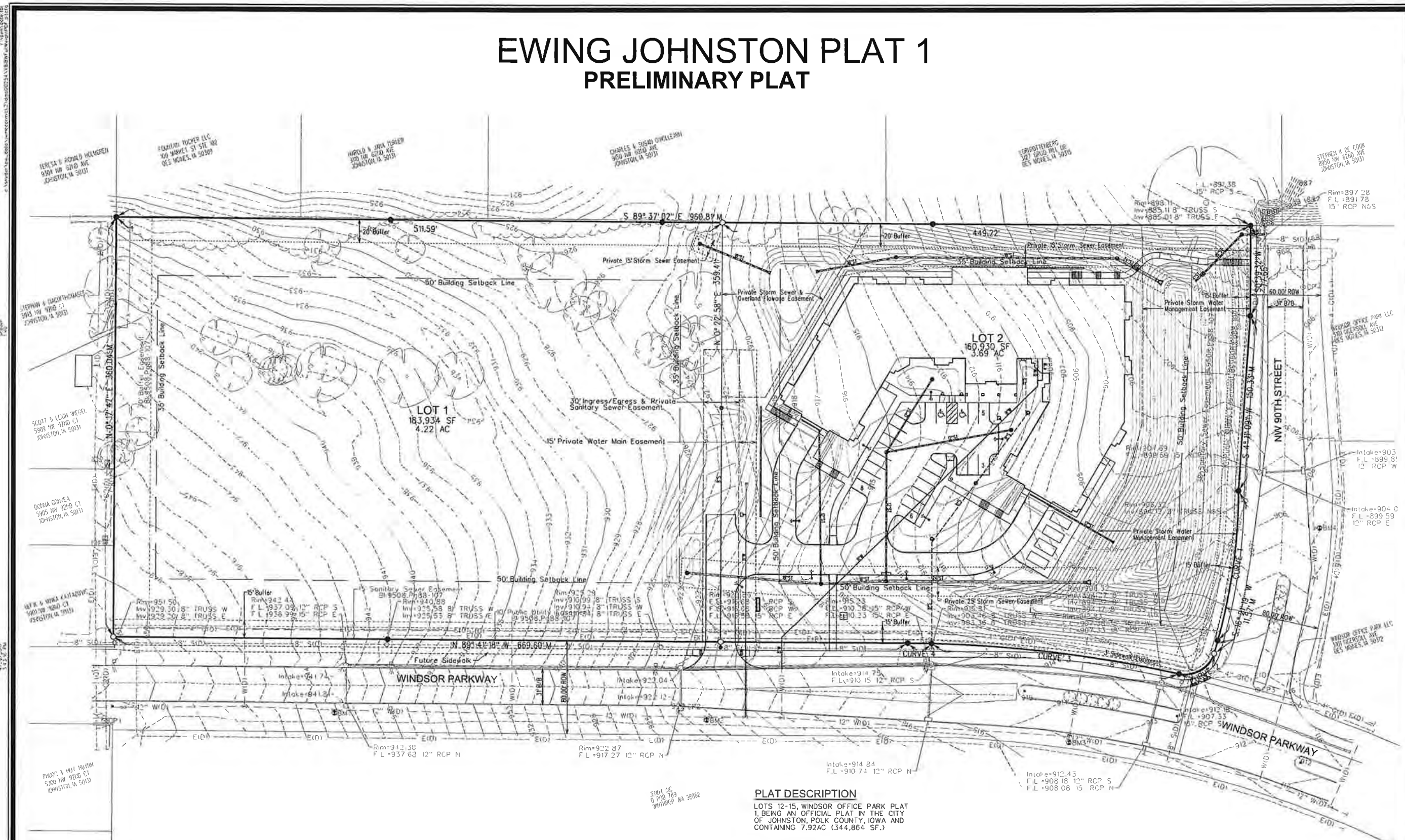
PRELIMINARY:
NOT FOR CONSTRUCTION

sheet no. 16-22

of sheets 4.3

I hereby certify that this plan, specification, or report was prepared by me or under my direct supervision and that I am a duly Licensed Architect under the laws of the State of IOWA.
Print Name: ROGER F. JOHNSON
Signature: _____
Date: _____

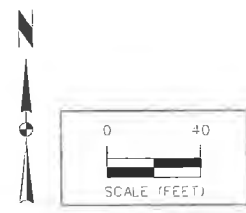
EWING JOHNSTON PLAT 1 PRELIMINARY PLAT



PLAT DESCRIPTION
 LOTS 12-15, WINDSOR PARK PLAT 1, BEING AN OFFICIAL PLAT IN THE CITY OF JOHNSTON, POLK COUNTY, IOWA AND CONTAINING 7.92AC (344,864 SF.)

CURVE TABLE

CURVE NO.	DELTA	RADIUS	ARC LENGTH	TANGENT	CHORD BEARING/DISTANCE
CURVE 1	16° 10' 43" RT	460.00'	129.89'	65.38'	S 8° 27' 40" W 129.46'
CURVE 2	86° 30' 10" RT	25.00'	37.74'	23.52'	S 59° 37' 57" W 34.26'
CURVE 3	11° 37' 20" LT	1,040.00'	210.96'	105.84'	N 82° 46' 42" W 210.60'
CURVE 4	1° 07' 26" LT	1,040.00'	20.40'	10.20'	N 89° 07' 35" W 20.40'



MARK	REVISION	DATE	BY
1	REVISED AS PER CITY COMMENTS	04/26/17	JWM
Engineer:	JAL	Checked By:	EDC
Scale:	1" = 40'	Date:	04-07-17
Field Bk.		Field Bk.	
Project No:	116.0984	Sheet	3 of 8

EWING JOHNSTON PLAT 1
PRELIMINARY PLAT

JOHNSTON, IA

SNYDER & ASSOCIATES, INC.

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



