



PLANNING AND ZONING COMMISSION

Regular Meeting

Monday, April 11, 2016

Notice is hereby given that the **Planning and Zoning Commission** will hold a **Regular Meeting at 7:00 p.m. on Monday, April 11th, 2016**, in the Council Chambers of Johnston City Hall, 6221 Merle Hay Road, Johnston, Iowa, to discuss the following business:

AGENDA:

- 1. Call to Order**
- 2. Roll Call**
- 3. Approval of Agenda**
- 4. Approval of Meeting Minutes:** Regular Meeting of March 14th, 2016
- 5. Silverstone Plat 2 Development Agreement Amendment:** Gary and Diane Bridgewater have requested an amendment to the Development Agreement for Silverstone Plat 2 as it relates to Lot 17 Silverstone Plat 2. The property is located at the south end of NW 104th Court.
- 6. Minks Monk 2016 Annexation:** The Enclave of Johnston, LLC has submitted an application for voluntary annexation and a petition for the establishment of a R-1(100), Single Family Residential, zoning district for 18.44 acres located east NW Beaver Drive and north of NW 78th Avenue currently within unincorporated Polk County. Additional land consisting of Polk County owned right-of-way is being added to this annexation application for a total area of 22.25 acres.
- 7. Other Business:**
- 8. Adjournment**

Next Scheduled Regular Meeting: Monday, April 25th, 2016.

Posted on or before April 8th, 2016 at: Johnston City Hall, Johnston Public Library, Johnston Post Office, Johnston Public Works, Crown Point Community Center, and Johnston Website (<http://www.cityofjohnston.com/agendacenter>)



PLANNING & ZONING COMMISSION

City of Johnston
 6221 Merle Hay Road, Johnston, IA 50131

Minutes
 Regular Meeting: Monday, March 14, 2016

AGENDA

1. Call to Order

Chairman Petersma called the meeting to order at 7:00 p.m.

2. Roll Call

	Spencer	Severino	Johnson	Smith	Whitaker	Petersma	Anderson
Present	X		X	X	X	X	
Absent		X					X

City Staff Present: David Wilwerding, Clayton Ender, Rebekah Davis

3. Approval of Agenda

Petersma called for a vote to approve the agenda.

	Spencer	Severino	Johnson	Smith	Whitaker	Petersma	Anderson
Aye	X		X	X	X	X	
Nay							
Abstain							

4. Approval of Meeting Minutes: Regular Meeting of February 29, 2016.

Smith motioned to amend the meeting minutes of February 29, 2016.

Petersma called for a vote to approve the amended minutes of February 29, 2016.

Roll Call Vote:

	Spencer	Severino	Johnson	Smith	Whitaker	Petersma	Anderson
Aye	X		X	X	X	X	
Nay							
Abstain							

5. PZ Case No. 16-04; Wilkie Addition Preliminary Plat: The applicant, Capital City Development, LLC proposes to subdivide a 9.72 acres into 27 lots and 2 outlots. The property is zoned R-1(75), Single Family Residential and is located at the corner of NW 64th place and NW 51st Street.

Ender presented the staff report.

Petersma questioned staff as to how the subject property will affect the grading and stormwater in the area. Ender stated that stormwater management is required for this development and is proposed to be managed by means of the three detention ponds.

Johnson inquired if there were topographical flood elevations provided for this development and adjacent properties. Ender confirmed that proposed minimum protection elevations were provided in the preliminary plat; however staff has not reviewed the elevations of adjacent properties.

Johnson questioned the direction the stormwater currently flowed.

Brad Cooper, Cooper Crawford and Associates, responded as the land is now, the grade slopes towards 51st street. It is his opinion that this development will reduce the amount of stormwater affecting the adjacent properties by retaining the water in three detention ponds. The homes in this development will have foundation drains that will pump the water into the storm sewer.

Petersma clarified, in the opinion of the applicant the stormwater draining from the subject property will be better managed now than before. Cooper stated that the applicant is in compliance with stormwater management, pollution prevention practices and agrees with all comments from the City, Public Works and FOTH.

Petersma opened the public comment period at 7:15 p.m.

Jim Evans, 5125 NW 64th Place, indicated his property is located northwest of the subject property. In addition Evans was speaking on behalf of his father, Donald Evans, 6750 NW Beaver Drive; Evans specified his father's property is located directly north and east of the subject property. He believes the storm sewer tiles in the area can't support development of the subject property. He noted that the sewer tiles along the north boundary have collapsed twice and created a sinkhole due to lack of maintenance. Evans indicated concern for the amount of vehicle traffic the subject development would create and the danger presented to pedestrians walking to the park on narrow streets with heavy traffic and no sidewalks; NW 51st Street and NE 64th Place. Evans believes the T-intersection is dangerous and proper traffic controlling measures are necessary at this intersection. He requested on behalf Donald Evans, that the fence on the northern boundary of the subject property remain undisturbed.

Terry Nielsen, 5152 NW 64th Place, demonstrated that his property was west of the subject property. Nielsen was concerned with stormwater drainage from the subject property and pools of water that would be created from the higher elevation of the new development.

Randi Van Rees, 6385 NW 51st Street, specified that her property is directly south of the subject property. Van Rees stated she was concerned about the additional stormwater drainage from the proposed raised elevation of the subject property. She believes that the grade of the subject property slopes down towards her property. Van Rees claims the storm sewer slopes a half inch from 64th Place to 62nd Avenue; which has caused the current drainage issues. She is concerned about speeding, the lack of traffic control in the area and vehicle and pedestrian traffic on narrow streets.

Lynn Walker, 6406 NW 51st Street, indicated her property is southwest of the subject property. Walker doesn't believe that the current storm sewer can handle anymore drainage. Walker states that she is being taxed for stormwater run-off however, her basement has flooded many times and there are frequently pools of water in her front yard after it rains.

Chuck Howieson, 6382 NW 51st Street, stated he does not believe that the current storm sewer can manage drainage from the development of the subject property.

Debbie Lemke, 6394 NW 51st Street, indicated her property was southwest of the subject property. Lemke does not desire additional vehicle traffic and is concerned with traffic management at the T-intersection. She doesn't believe the roads are wide enough to accommodate more traffic. Lemke doesn't believe raising the elevation of the new development will benefit adjacent residents.

Louise Rexroat, 6361 NW 51st Street, requests that the City not allow the proposed development to contribute to the current stormwater drainage issues in the area.

Marilyn Howieson, 6382 NW 51st Street, located southwest of the subject property. Howieson requests that the City assist the residents with the existing stormwater drainage issues. She believes the current storm sewer tiles are no longer able to manage to existing properties and more development will make this issue worse.

Petersma closed the public comment period at 7:50 p.m.

Petersma stated that the stormwater management requirements are more stringent then they have been in the past and requested that the engineer detail how the stormwater on the subject property will be managed.

Cooper stated they are required to manage stormwater drainage and quality. All three detention ponds will have orifices restricting their flow to the storm sewer system. The elevation of the homes will be higher than that of the detention ponds and there will be catch basins in the center of the street which drain to the detention ponds.

Cooper stated on behalf of the applicant that they have no intention of disturbing Evan's fence on the northern boundary.

Wilwerding explained the process for new developments and stated that the most recent update to the stormwater management requirements was in 2008.

Petersma stated that the stormwater on the subject property currently drains off the property and onto adjacent properties. However, the planned development attempts to retain the stormwater and drain it slowly into the storm sewer.

Wilwerding stated a stormwater maintenance and management agreement is required for all stormwater management facilities. In this case, since the facilities crossed multiple properties, a homeowners association was recommended so they would be the party responsible for ongoing maintenance of the stormwater facilities.

Johnson reiterated that said agreement would make the homeowners association liable for maintenance and management of the stormwater tiles and detention ponds on the subject property.

Johnson believes that the proposed stormwater management plan is in the best interest of neighboring properties. He questioned how the traffic at the T-intersection will be addressed.

Wilwerding responded that the T-intersection is outside of the subject property and there is a system in place to address speeding and traffic calming. There has not been a traffic study in done at this intersection however, the police department will enforce the issues with speeding and determine if additional traffic control is required at this intersection. There are no proposed changes to the current intersection, other than the extension of 64th Place.

Motion by Whitaker, second by Spencer to approve PZ Case No. 16-04, the Preliminary Plat for Wilkie Addition, subject to the following conditions:

1. The project shall conform to the requirements, standards and regulations of the City of Johnston.
- 2. The Preliminary Plat shall be amended to address the following items:**
 - a. The 100 year flood elevations shall be corrected.
 - b. Identify the recreational trail connection proposed on the north side of NW 64th place and note any easements necessary to accommodate such.
 - c. Indicate owner of the subject property.
 - d. Indicate the size of the existing public water main within the NW 51st Street right-of-way.
 - e. Renumber lots to reflect 27 in lieu of 29.
 - f. All comments from Foth's memo dated March 10, 2016 shall be addressed.
 - g. Address all comments from Public Works memo dated March 10, 2016.
- 3. Prior to City Council approval of Construction Plans for any phase of the development, the following items shall be included on the Construction Plans:**
 - a. The Construction Plans and subsequent Final Plat(s) shall include critical spot elevations for all roadside ditches and drainage ways constructed throughout the site. As built elevations shall be provided for these areas prior to the City's acceptance of public improvements to verify construction at the appropriate elevations.
- 4. Prior to City Council approval of a Final Plat for any phase of the development, the following items shall be addressed:**
 - a. Applicant shall submit a Petition and Waiver regarding property assessment for future improvements to NW 51st Street.
 - b. Minimum opening elevations shall be provided for all lots, adjacent to drainage ways, detention/retention ponds or other areas where inundation is possible, such elevations shall be identified on the final plat(s).
 - c. Applicant shall submit a stormwater management maintenance agreement to be recorded with the final plat.

Provide evidence of the creation of a Home Owner Association to manage and maintain stormwater management facilities within the plat.

Smith moved to amend the motion and to add condition #7, as follows:

"City Council should review existing stormwater issues in the neighborhood and review neighborhood traffic concerns." Seconded by Johnson.

Roll Call Vote on the Motion to Amend to Add Condition # 7:

	Spencer	Severino	Johnson	Smith	Whitaker	Petersma	Anderson
Aye	X		X	X	X	X	
Nay							
Abstain							

Roll Call Vote on the Original Motion:

	Spencer	Severino	Johnson	Smith	Whitaker	Petersma	Anderson
Aye	X		X	X	X	X	
Nay							
Abstain							

6. Other Business.

- Update on the Special Census**

Wilwerding provided an update on the special census process.

7. Adjournment

Meeting adjourned at 8:45 PM.

Chair

Secretary

Silverstone Plat 2 Development Agreement Amendment



Planning & Zoning Commission

COMMUNITY DEVELOPMENT DEPARTMENT

April 11, 2016 Meeting

SUBJECT: Consider recommending approval of an amendment to the Development Agreement for Silverstone Plat 2 as it applies to Lot 17. The property is located at the south end of NW 104th Court.

SYNOPSIS:

The applicants, Gary and Diane Bridgewater, are requesting to amend the development agreement for Silverstone Plat 2 as it related to their property, Lot 17 Silverstone Plat 2. The property is zoned R-1(75) with restrictions based upon a Development Agreement entered into as part of the rezoning of the property.

RECOMMENDATION:

Staff recommends approval and provides the following motions for the commission’s consideration:

The Planning & Zoning Commission recommends approval of the amended section 2.F.a. of the development agreement for Silverstone Plat 2:

Rear Yard Setback: All lots adjoining the eastern or southern property boundary, except lot 17 Silverstone Plat 2, shall have a minimum of a sixty (60) foot rear yard setback. In areas where the existing natural buffer is determined to not be sufficient or cannot be sufficiently augmented with additional landscaping to the satisfaction of the City, this setback shall be increased to a minimum of one-hundred and twenty (120) feet. Lot 17 Silverstone Plat 2 shall have a minimum of a twenty (20) foot rear yard setback along the eastern property boundary. The natural buffer abutting Lot 17 Silverstone Plat 2 shall be augmented and maintained on Lot 17 Silverstone Plat 2.

Motion by _____, seconded by _____ to recommend approval of the amended development agreement for Silverstone Plat 2.

- Attachments:
- Vicinity Map
 - Silverstone Plat 2 Development Agreement Regarding Rezoning
 - Amendment Request Letter from the Applicants
 - Preliminary Site layout
 - Proposed House Plans
 - Proposed Accessory Structure Plans
 - Mailing List
 - Postcard Notice

APPLICANT:

Gary and Diane Bridgewater
7600 NW 104th Court
Lot 17 in Silverstone Development, Lot 17 of Plat 2

REPRESENTATIVE:

Cooper Crawford and Associates
475 S. 50th Street, Suite 800
West Des Moines, IA 50265

**BACKGROUND &
PRIOR APPROVALS:**

The subject property was annexed to the City of Johnston as part of the Northwest Annexation which was approved by the City Development Board on May 10, 2006.

The R-1(75) zoning district was established for this site, subject to the regulations contained in a Development Agreement dated March 3, 2006. A copy of this agreement is attached. The development agreement was established to address concerns from neighboring properties to the east and south. Since this lot abuts the eastern property boundary a rear yard setback of 60 feet is placed on this lot which is greater than the typical 35 foot rear yard setback.

The Preliminary Plat (PZ 06-30) for the property was approved by the City Council on August 7, 2006. The construction plans were approved by the City Council on March 19, 2007. This portion of the property was platted as Outlot Y of Silverstone Plat 1 (PZ 06-33), which was approved by the City Council on October 2, 2006. Outlot Y subsequently subdivided into 36 lots which are shown on the Final Plat for Silverstone Plat 2 (PZ 07-17). This Final Plat was approved on May 31, 2007.

**PROPOSED
AMENDMENT:**

Gary and Diane Bridgewater have requested the City amend the development agreement for Silverstone Plat 2. This is requested to facilitate construction of a new home and accessory structure on lot 17. Attached to this report is a letter from the applicants detailing their request and a preliminary site plan.

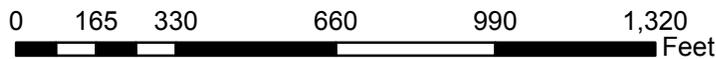
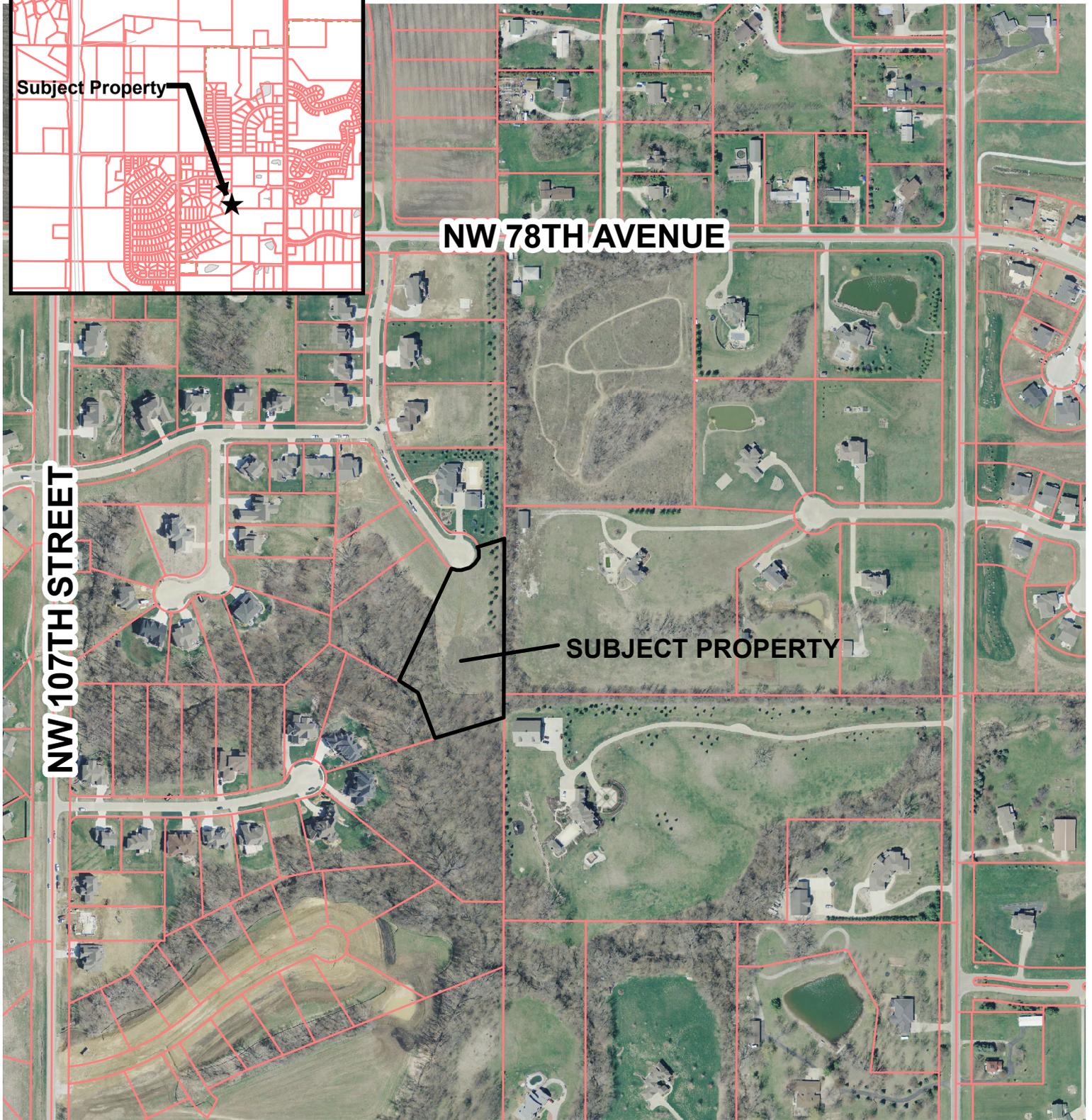
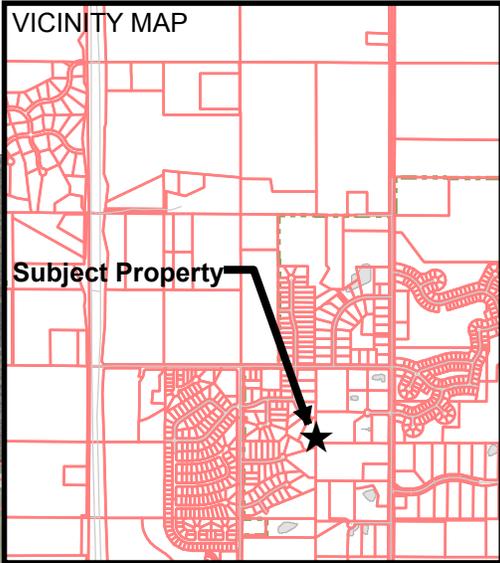
The eastern property boundary of Lot 17 is indicated as the rear yard because of the development agreement. Without the development agreement the eastern property boundary would be classified as a side yard and would have to adhere to the side yard setbacks for a R-1(75) zoning district. The side yard requirements for an R-1(75) zoning district are one side equaling 8 feet and 17 feet total from all side yards. As a side yard the 60 foot setback requirement is unreasonably burdensome on this particular lot and greatly diminishes the buildable area.

In an effort to maintain the intent of the original development agreement and to allow for use of the subject property in a manner agreeable to the property owners staff recommends the following language to amend the development agreement:

2.F.a. Rear Yard Setback: All lots adjoining the eastern or southern property boundary, except lot 17 Silverstone Plat 2, shall have a minimum of a sixty (60) foot rear yard setback. In areas where the existing natural buffer is determined to not be sufficient or cannot be sufficiently augmented with additional landscaping to the satisfaction of the City, this setback shall be increased to a minimum of one-hundred and twenty (120) feet. Lot 17 Silverstone Plat 2 shall have a minimum of a twenty (20) foot rear yard setback along the eastern property boundary. The natural buffer abutting Lot 17 Silverstone Plat 2 shall be augmented and maintained on Lot 17 Silverstone Plat 2.

NEIGHBOR NOTICE: Notice was mailed to all adjacent property owners on March 30th, 2016. As of publication of this report no comments have been received. A copy of the notice is attached.

SILVERSTONE PLAT 2 DEVELOPMENT AGREEMENT AMENDMENT



1 inch = 3,333 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

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27.00
Fair Chg


Doc ID: 018240300005 Type: GEN
Recorded: 03/20/2006 at 08:55:13 AM
Fee Amt: \$27.00 Page 1 of 5
Revenue Tax: \$0.00
Polk County Iowa
TIMOTHY J. BRIEN RECORDER
File# 2006-00088223
BK 11568 PG 133-137

**Development Agreement Regarding Rezoning
Recorders Cover Sheet**

Preparer Information:

David R. Wilwerding
City of Johnston
P.O. Box 410, 6221 Merle Hay Road
Johnston, IA 50131
515-278-2344

Return Document To:

David R. Wilwerding
City of Johnston RETURN TO:
P.O. Box 410, 6221 Merle Hay Road
Johnston, IA 50131
515-278-2344

Grantors:

Silverstone, L.C.

Grantees:

City of Johnston, Iowa

Legal Description:

EX E 317.7F W 704.95F N 411.33F NW 1/4 NE 1/4- W 1/2 NE 1/4 LESS RD
SEC 33-80-25

Silverstone Development Agreement

DEVELOPMENT AGREEMENT

This Development Agreement made this 3rd day of March, 2006, by and between Silverstone, LC. (hereinafter collectively referred to as "DEVELOPER") the owner of the property described below, 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, DEVELOPER wishes to develop certain real estate being annexed into the City of Johnston, Iowa legally described as follows:

EX E 317.7F W 704.95F N 411.33F NW 1/4 NE 1/4- W 1/2 NE 1/4 LESS RD SEC 33-80-25

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

WHEREAS, it is DEVELOPER'S intent to develop the OWNER'S PROPERTY for the construction of a residential community (hereinafter the "RESIDENTIAL COMMUNITY"); and

WHEREAS, the CITY is willing to rezone the OWNER'S PROPERTY in an effort to facilitate the construction of the RESIDENTIAL COMMUNITY as long as DEVELOPER agrees to certain conditions; and

WHEREAS, the proposed RESIDENTIAL COMMUNITY will add additional burden to other city services and city infrastructure, and

NOW THEREFORE, pursuant to the authority granted to the CITY by Iowa Code Sections 414.5 and 364.1 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 by both parties, it is agreed as follows:

1. **ZONING AMENDED.** The CITY will consider the rezoning of the OWNER'S PROPERTY to R-1(75) Single Family Residential in conformance with the 1998 Johnston Comprehensive Plan as amended. The rezoning of the property would generally accommodate the development plan as depicted in the Exhibit "A" attached as prepared by Cooper Crawford and Associates and dated February 15, 2006. If the Johnston City Council rezones the OWNER'S PROPERTY, Paragraph 2 of this Agreement shall become effective and shall act as binding and limiting conditions on the use of the OWNER'S PROPERTY.

2. **RESTRICTIONS.** DEVELOPER AND OWNER agree that DEVELOPER will effectuate the following in conjunction with the approval of a master plan, preliminary plat, site plan, construction plans and final plat as required by the CITY, in its sole discretion, for the DEVELOPER/OWNER'S PROPERTY:

- A. The development shall be in conformance with all policies, standards and regulations of the City of Johnston.
- B. Density: The DEVELOPER agrees that the gross density of the project shall not exceed 1.08 units per acre.
- C. Lot Size: The DEVELOPER agrees that no future lots shall be narrower than eighty-seven (87) feet in width as measured at the building setback line and no future lots shall be smaller than 12,500 square feet. The lot widths and lot sizes shall be reviewed and identified on the Preliminary and Final Plat(s).
- D. Side Yard Setbacks: The DEVELOPER agrees that all lots shall have a minimum side yard setback of nine (9) feet on one side with a sum of nineteen (19) feet. All lots on Street "A", "B" and "C" (Lots 8 to 22 and 56 to 79) as identified on Exhibit "A" shall have a minimum side yard setback of ten (10) feet on one side with a sum of twenty-one (21) feet. The setbacks required for each lot shall be identified on the Preliminary and Final Plat(s).
- E. Conservation Easements: The DEVELOPER agrees to implement conservation easements in areas with extreme slope, drainage ways and existing natural vegetation. These areas shall be agreed upon by the DEVELOPER and CITY at the time of the Preliminary Plat(s) and an easement document shall be provided at the time of the Final Plat(s) to ensure that the identified areas remain in their natural state.
- F. Transition Buffers: Pursuant to the 1998 Comprehensive Plan, as amended by the Johnston City Council on February 6, 2006, transitions are required along the eastern and southern boundaries of the OWNER'S PROPERTY. Based upon aerial photography and site visits, the CITY and DEVELOPER agree that there appears to exist a natural landscaping buffers between the OWNER'S PROPERTY and adjoining properties to the east and south. However, until field surveys and tree inventories are conducted it cannot be determined whether or not this natural buffer is sufficient in all areas. Therefore, to meet the guidelines of the Comprehensive Plan, the DEVELOPER'S agree to the following:
 - a. Rear Yard Setback: All lots adjoining the eastern or southern property boundary shall have a minimum of a sixty (60) foot rear yard setback. In areas where the existing natural buffer is determined to not be sufficient or cannot be sufficiently augmented with additional landscaping to the satisfaction of the City, this setback shall be increased to a minimum of one-hundred and twenty (120) feet. Said rear yard setback shall be identified on the Preliminary and Final Plat(s).
 - b. Lot Area: All lots where the existing natural buffer is determined to not be sufficient or cannot be sufficiently augmented with additional landscaping to the satisfaction of the City, shall be a minimum of 1.5 acres in size.

3. **REVERSION OF ZONING:** If the rezoning of the OWNER'S PROPERTY is approved by the CITY and the property is subsequently rezoned, such zoning shall be conditioned on the DEVELOPER'S full compliance with the provisions of paragraph 2 above. If the DEVELOPER fails to comply with all of the requirements of paragraph 2 above, then the OWNER'S PROPERTY shall immediately revert back to the zoning classification of AR Agricultural Reserve without any further action on the part of the CITY or the City Council.

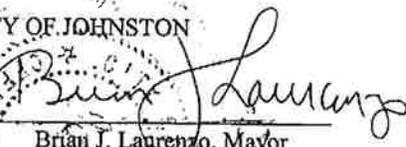
4. **AMENDMENTS.** No amendments or variations of the terms of this Agreement shall be valid or binding unless made in writing and executed by a duly authorized representative of each party to be bound thereof.

5. **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. The parties further agree that this Development Agreement shall be a perpetual encumbrance on the OWNER'S Property; shall run with the land; and shall be binding on all subsequent purchasers of the Property.

6. **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. In such event, the OWNER'S property's zoning shall automatically revert to that of an AR district without further action of the Johnston City Council.

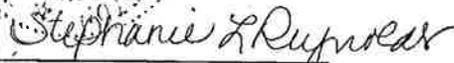
WHEREFORE, the parties have executed this Agreement on the date and year written above.

CITY OF JOHNSTON

By: 

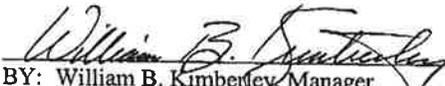
Brian J. Lorenzo, Mayor

ATTEST:

By: 

Stephanie L. Reynolds, City Clerk

FOR THE OWNER/DEVELOPER:
SILVERSTONE, L.C., an Iowa Limited Liability Company


BY: William B. Kimberley, Manager

On this 3rd day of March, 2006, before me, the undersigned, a Notary Public in and for the State of Iowa, personally appeared William B. Kimberley, Manager of Silverstone, L.C., to me personally known, who, being by me duly sworn, did say that he is the individual 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 manager of said limited liability company.


Notary Public, In and For the State of Iowa



To: City of Johnston
6221 Merle Hay Road
P.O. Box 410
Johnston, Iowa 50317

Attn: David Wilwerding, AICP
Community Development Director

Re: Gary and Diane Bridgewater Property
7600 NW 104th Court
Lot 17 in Silverstone Development, Lot 17 of Plat 2

Dear Mr. Wilwerding,

Diane and I have been residents of Johnston for the past twenty-three years living in Green Meadows West. We recently purchased a lot in the Silverstone Development and would like to build a new home at this location. Johnston is home for us and we hope to continue to live in this Community.

As we worked on the site planning for our new home, Cooper Crawford, the Civil Engineer for the original development, helped us to understand that there currently exist a 60'-0" side yard construction setback on the east property line.

For our new home and accessory building to be sited appropriately on this lot, we require both to encroach on this existing 60'-0" side yard setback. If we tried to move the house to the south and to the west, we would be fighting grade and sanitary sewer flow line challenges. We don't want to add a sanitary lift station to serve the basement. If we moved the accessory building to the west, again, we are fighting grade elevation challenges and the proximity of the Conservation Easement.

The property east of our lot, that would be most impacted by this change in setback, is currently un-occupied. We do not know the status of who owns this property. The current house, on that property, is more than 100 yards away from our proposed home location.

We believe the intent of the 60'-0" setback (buffering) was to screen the Silverstone development from the existing properties to the east. Although we do not show any additional landscaping on our preliminary site plan, it is our intent to add a large variety of evergreen and hardwood trees along our east property line to screen our property from the un-occupied property to the east. Also, there is a lot of natural screening on this adjacent property.

On the attached site plan, please note that the home will encroach into the current setback a total of 30'-0". The accessory building (more than 720 s.f.), requires the same setback of the primary structure. But, this accessory structure needs to encroach on the current setback a total of 40'-0".

We respectfully request the City of Johnston consider amending the current development agreement, for this lot only, Lot 17 in Silverstone – Plat 2. We request to reduce this side yard setback, at the east property line, to 20'-0".

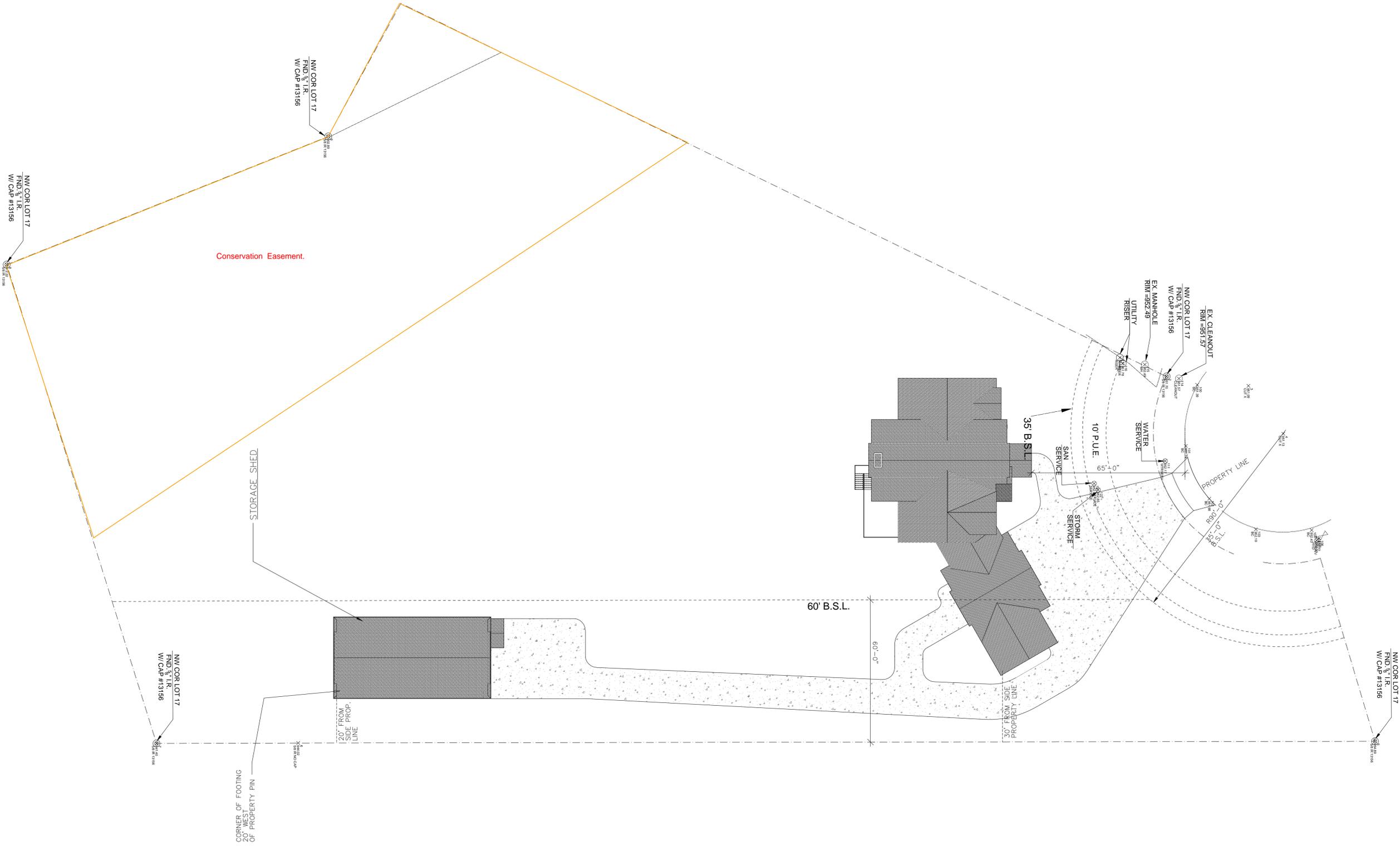
We have contacted Kimberley Development and discussed our request with Bill Kimberley. He is in support of our request.

Attached with this letter are three PDF documents: 1> a preliminary site plan; 2> plans for the house; and 3> plans for the accessory structure.

We appreciate the City of Johnston's consideration of this request. Please contact me if you have any questions.

Yours Very Truly,

Gary L. Bridgewater
Cell # 515-208-2382
bridgeh2o@mchsi.com



Conservation Easement.

STORAGE SHED

CORNER OF FOOTING
PIN
OF PROPERTY PIN

120' FROM
SIDE PROP.
LINE

60'-0"

30' FROM SIDE
PROPERTY LINE

35' B.S.L.

10' P.U.E.

WATER
SERVICE

STORM
SERVICE

EX. CLEANOUT
RIM 5651.57

NW COR LOT 17
FND. 3/4" I.R.
W/CAP #13156

EX. MANHOLE
RIM 5592.49

UTILITY
RISER

NW COR LOT 17
FND. 3/4" I.R.
W/CAP #13156

NW COR LOT 17
FND. 3/4" I.R.
W/CAP #13156

NW COR LOT 17
FND. 3/4" I.R.
W/CAP #13156

NW COR LOT 17
FND. 3/4" I.R.
W/CAP #13156

DATE	DRAWN BY	CHKD BY
2-26-16	ML	KC
REVISED		

A1

PRELIMINARY-NOT FOR CONSTRUCTION

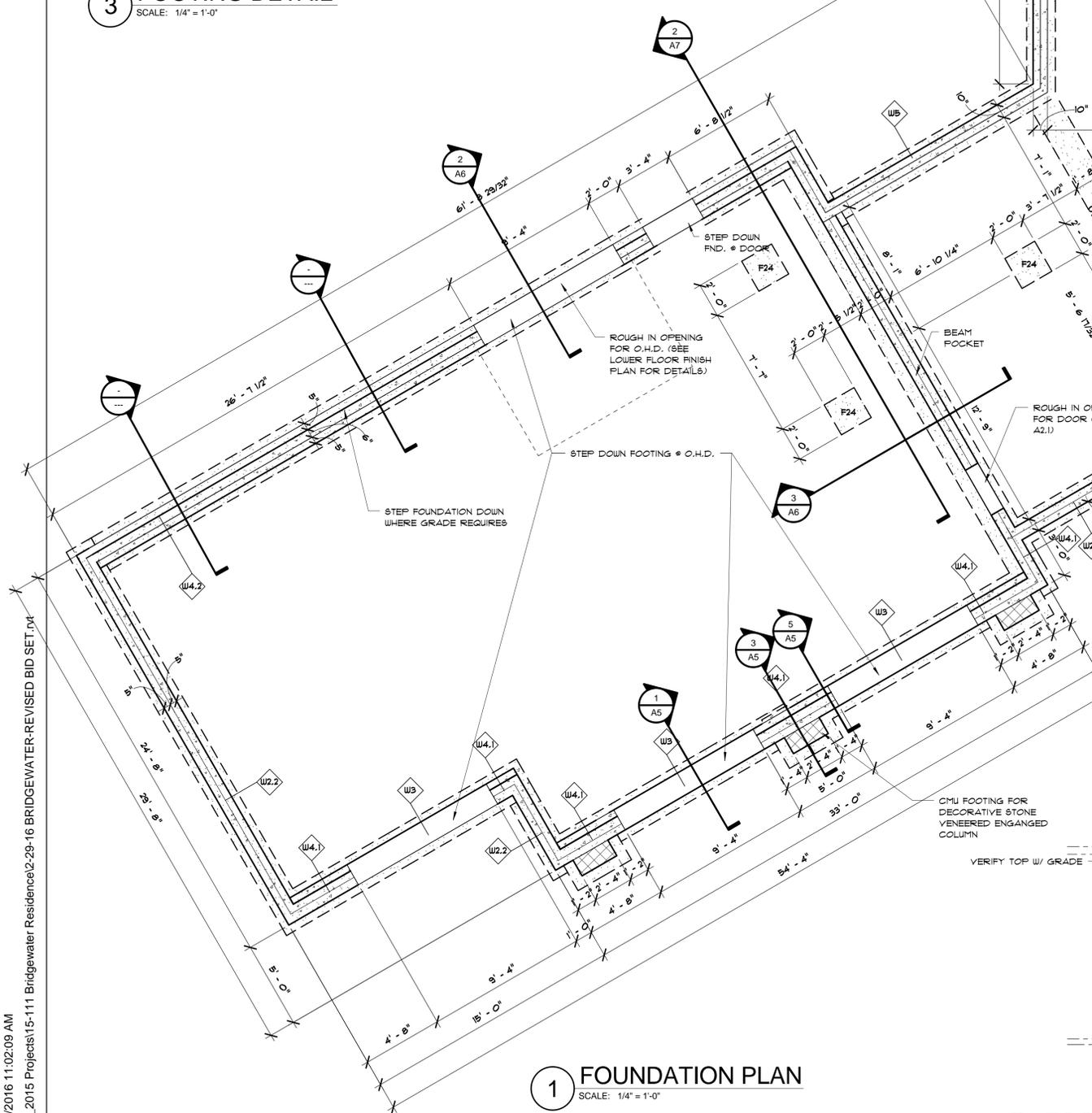


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Y:\2015 Projects\15-111 Bridgewater Residence\2-29-16 Bridgewater-REVISED BID SET.rvt

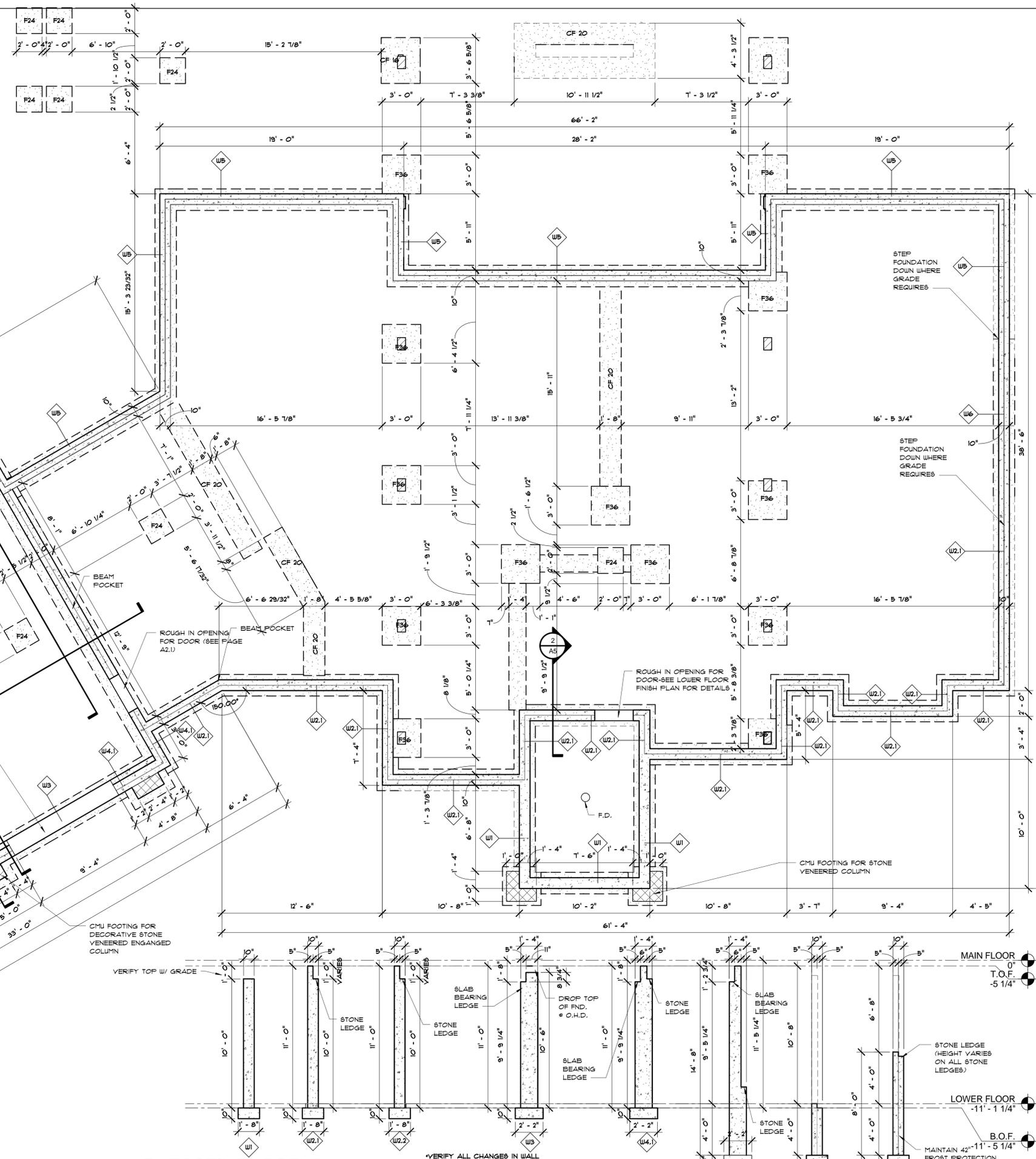
WALL & FOOTING SCHEDULE									
Mark	WALL			FOOTING			Remarks		
	Width	Height	Horiz. Reinf.	Vert. Reinf.	Width	Length		Depth	Reinforcing
W1	10"	10'-0"	#4 @ 24" O.C.	#4 @ 20 O.C.	1'-8"	CONT	10"	(2) #4 CONT.	
W2.1	10"	11'-0"	#4 @ 24" O.C.	#4 @ 20 O.C.	1'-8"	CONT	10"	(2) #4 CONT.	VERIFY LEDGE HEIGHT WITH GRADE
W2.2	10"	11'-5 1/4"	#4 @ 24" O.C.	#4 @ 20 O.C.	1'-8"	CONT	10"	(2) #4 CONT.	VERIFY LEDGE HEIGHT WITH GRADE
W3	16"	10'-7 1/4"	#4 @ 24" O.C.	#4 @ 20 O.C.	2'-2"	CONT	10"	(2) #4 CONT.	**VERIFY HEIGHT OF FND. W/ GRADE
W4.1	16"	11'-5 1/4"	#4 @ 24" O.C.	#4 @ 20 O.C.	2'-2"	CONT	10"	(2) #4 CONT.	
W4.2	16"	15'-1 1/4"	#4 @ 24" O.C.	#4 @ 20 O.C.	2'-2"	CONT	10"	(2) #4 CONT.	
W5	10"	4'-0"	#4 @ TOP & BOT.	#4 @ 20 O.C.	1'-8"	CONT	10"	(2) #4 CONT.	
W6	10"	8'-0"	#4 @ 24" O.C.	#4 @ 20 O.C.	1'-8"	CONT	10"	(2) #4 CONT.	**VERIFY HEIGHT OF FND. W/ GRADE
FOOTING									
F36					3'-0"	3'-0"	1'-0"	#4 AT 12" O.C. E.W.	
F24					2'-0"	2'-0"	1'-0"	#4 AT 12" O.C. E.W.	
CF16					1'-4"	CONT	10"	(2) #4 CONT.	
CF20					1'-8"	CONT	10"	(2) #4 CONT.	
CF26					2'-2"	CONT	10"	(2) #4 CONT.	

**VERIFY ALL CHANGES IN WALL ELEVATION ON SITE
 **VERIFY ALL CHANGES IN STONE LEDGE ELEVATION ON SITE
 *MAINTAIN 42" MINIMUM FROST PROTECTION AT ALL TIMES

3 FOOTING DETAIL
 SCALE: 1/4" = 1'-0"



1 FOUNDATION PLAN
 SCALE: 1/4" = 1'-0"



2 FOOTING LEGEND
 SCALE: 1/4" = 1'-0"

PRELIMINARY-NOT FOR CONSTRUCTION

15-111
 imprint ARCHITECTS
 leave your mark

BRIDGEWATER RESIDENCE
 GARY AND DIANE BRIDGEWATER
 7600 NW 104TH CT, JOHNSTON, IOWA, 50131

DATE	DRWN BY	CHKD BY
2-26-16	ML	KC
REVISED		

A2.0



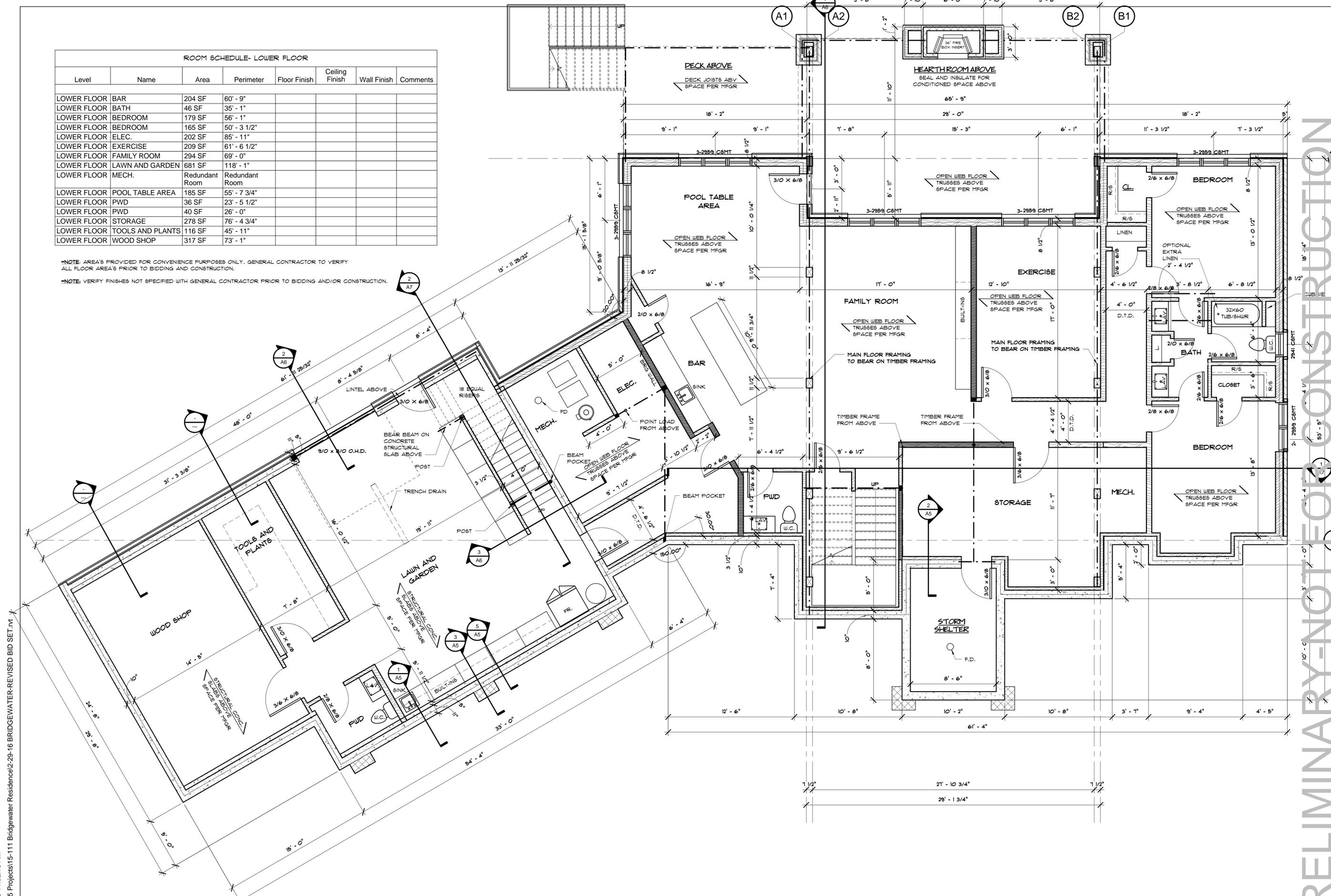
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DATE	DRAWN BY	CHKD BY
2-26-16	ML	KC
REVISED		

A2.1

ROOM SCHEDULE- LOWER FLOOR							
Level	Name	Area	Perimeter	Floor Finish	Ceiling Finish	Wall Finish	Comments
LOWER FLOOR	BAR	204 SF	60' - 9"				
LOWER FLOOR	BATH	46 SF	35' - 1"				
LOWER FLOOR	BEDROOM	179 SF	56' - 1"				
LOWER FLOOR	BEDROOM	165 SF	50' - 3 1/2"				
LOWER FLOOR	ELEC.	202 SF	85' - 11"				
LOWER FLOOR	EXERCISE	209 SF	61' - 6 1/2"				
LOWER FLOOR	FAMILY ROOM	294 SF	69' - 0"				
LOWER FLOOR	LAWN AND GARDEN	681 SF	118' - 1"				
LOWER FLOOR	MECH.	Redundant Room	Redundant Room				
LOWER FLOOR	POOL TABLE AREA	185 SF	55' - 7 3/4"				
LOWER FLOOR	PWD	36 SF	23' - 5 1/2"				
LOWER FLOOR	PWD	40 SF	26' - 0"				
LOWER FLOOR	STORAGE	278 SF	76' - 4 3/4"				
LOWER FLOOR	TOOLS AND PLANTS	116 SF	45' - 11"				
LOWER FLOOR	WOOD SHOP	317 SF	73' - 1"				

*NOTE: AREA'S PROVIDED FOR CONVENIENCE PURPOSES ONLY. GENERAL CONTRACTOR TO VERIFY ALL FLOOR AREA'S PRIOR TO BIDDING AND CONSTRUCTION.
*NOTE: VERIFY FINISHES NOT SPECIFIED WITH GENERAL CONTRACTOR PRIOR TO BIDDING AND/OR CONSTRUCTION.



2 LOWER FLOOR FINISH PLAN
SCALE: 1/4" = 1'-0"

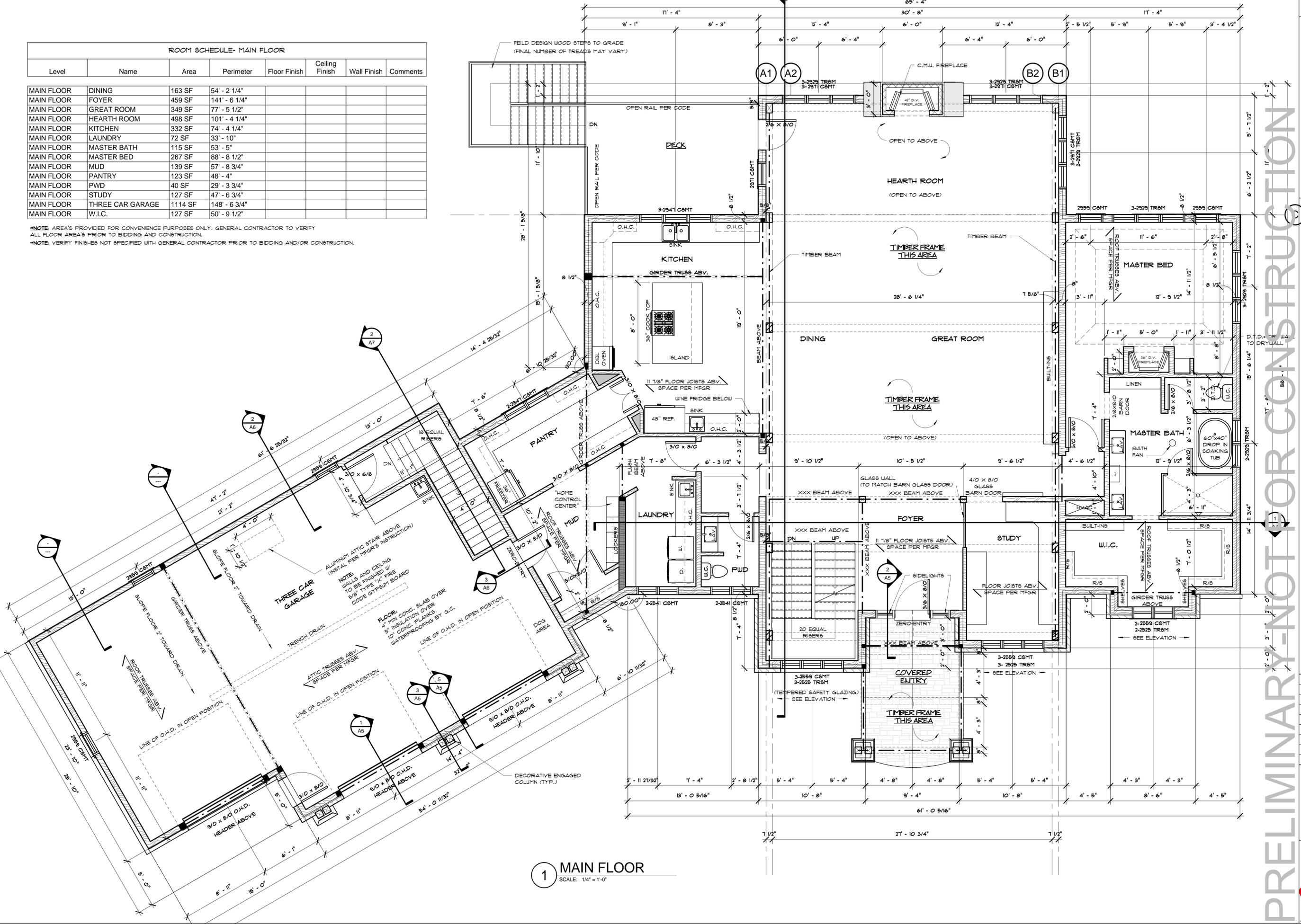
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DATE	DRAWN BY	CHKD BY
2-26-16	ML	KC
REVISION		

A3.0

ROOM SCHEDULE- MAIN FLOOR							
Level	Name	Area	Perimeter	Floor Finish	Ceiling Finish	Wall Finish	Comments
MAIN FLOOR	DINING	163 SF	54' - 2 1/4"				
MAIN FLOOR	FOYER	459 SF	141' - 6 1/4"				
MAIN FLOOR	GREAT ROOM	349 SF	77' - 5 1/2"				
MAIN FLOOR	HEARTH ROOM	498 SF	101' - 4 1/4"				
MAIN FLOOR	KITCHEN	332 SF	74' - 4 1/4"				
MAIN FLOOR	LAUNDRY	72 SF	33' - 10"				
MAIN FLOOR	MASTER BATH	115 SF	53' - 5"				
MAIN FLOOR	MASTER BED	267 SF	88' - 8 1/2"				
MAIN FLOOR	MUD	139 SF	57' - 8 3/4"				
MAIN FLOOR	PANTRY	123 SF	48' - 4"				
MAIN FLOOR	PWD	40 SF	29' - 3 3/4"				
MAIN FLOOR	STUDY	127 SF	47' - 6 3/4"				
MAIN FLOOR	THREE CAR GARAGE	1114 SF	148' - 6 3/4"				
MAIN FLOOR	W.I.C.	127 SF	50' - 9 1/2"				

NOTE: AREA'S PROVIDED FOR CONVENIENCE PURPOSES ONLY. GENERAL CONTRACTOR TO VERIFY ALL FLOOR AREA'S PRIOR TO BIDDING AND CONSTRUCTION.
NOTE: VERIFY FINISHES NOT SPECIFIED WITH GENERAL CONTRACTOR PRIOR TO BIDDING AND/OR CONSTRUCTION.

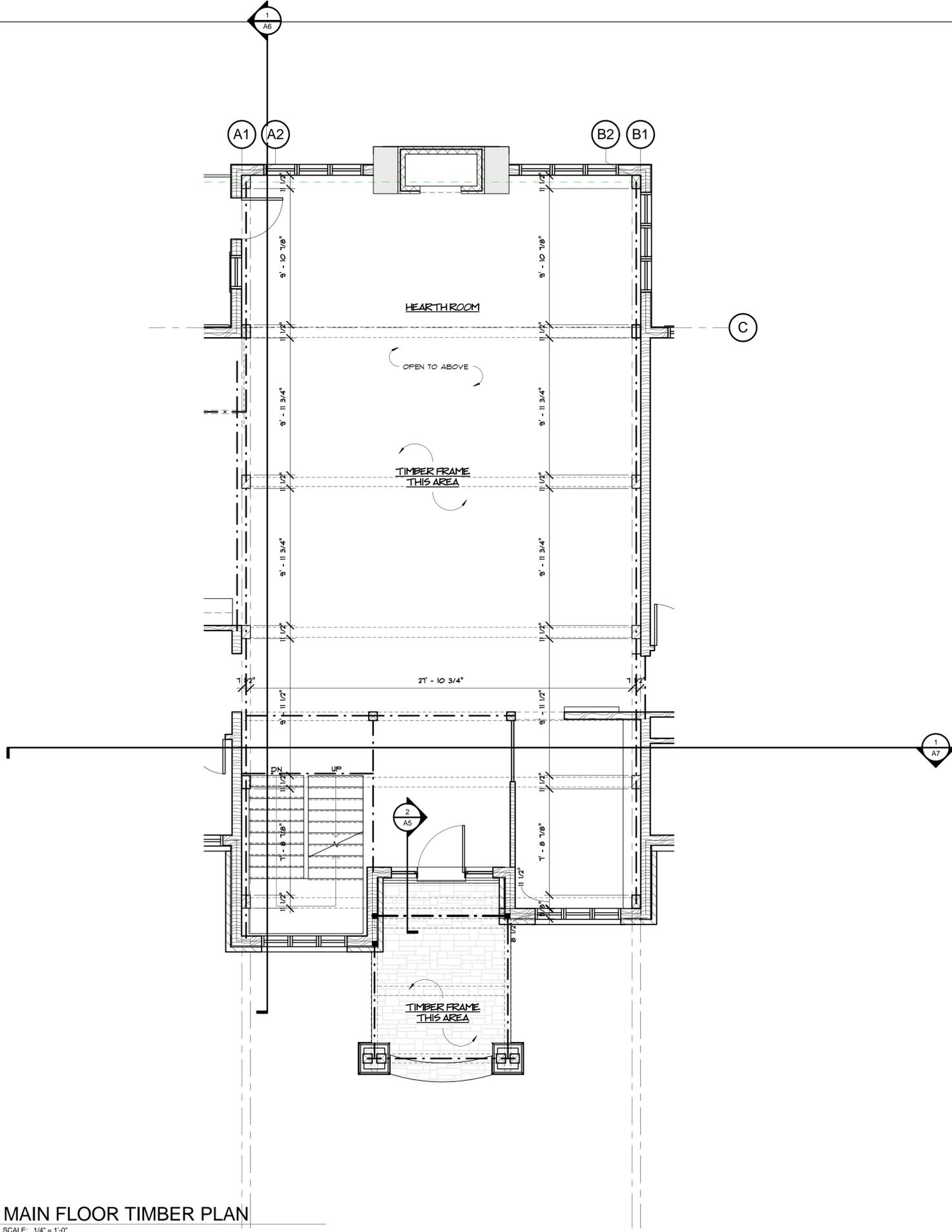


1 MAIN FLOOR
SCALE: 1/4" = 1'-0"

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PRELIMINARY-NOT FOR CONSTRUCTION

1 MAIN FLOOR TIMBER PLAN
 SCALE: 1/4" = 1'-0"



PRELIMINARY-NOT FOR CONSTRUCTION

BRIDGEWATER RESIDENCE
 GARY AND DIANE BRIDGEWATER
 7600 NW 104TH CT, JOHNSTON, IOWA, 50131

DATE	DRAWN BY	CHKD BY
2-26-16	ML	KC
REVISED:		

A3.1

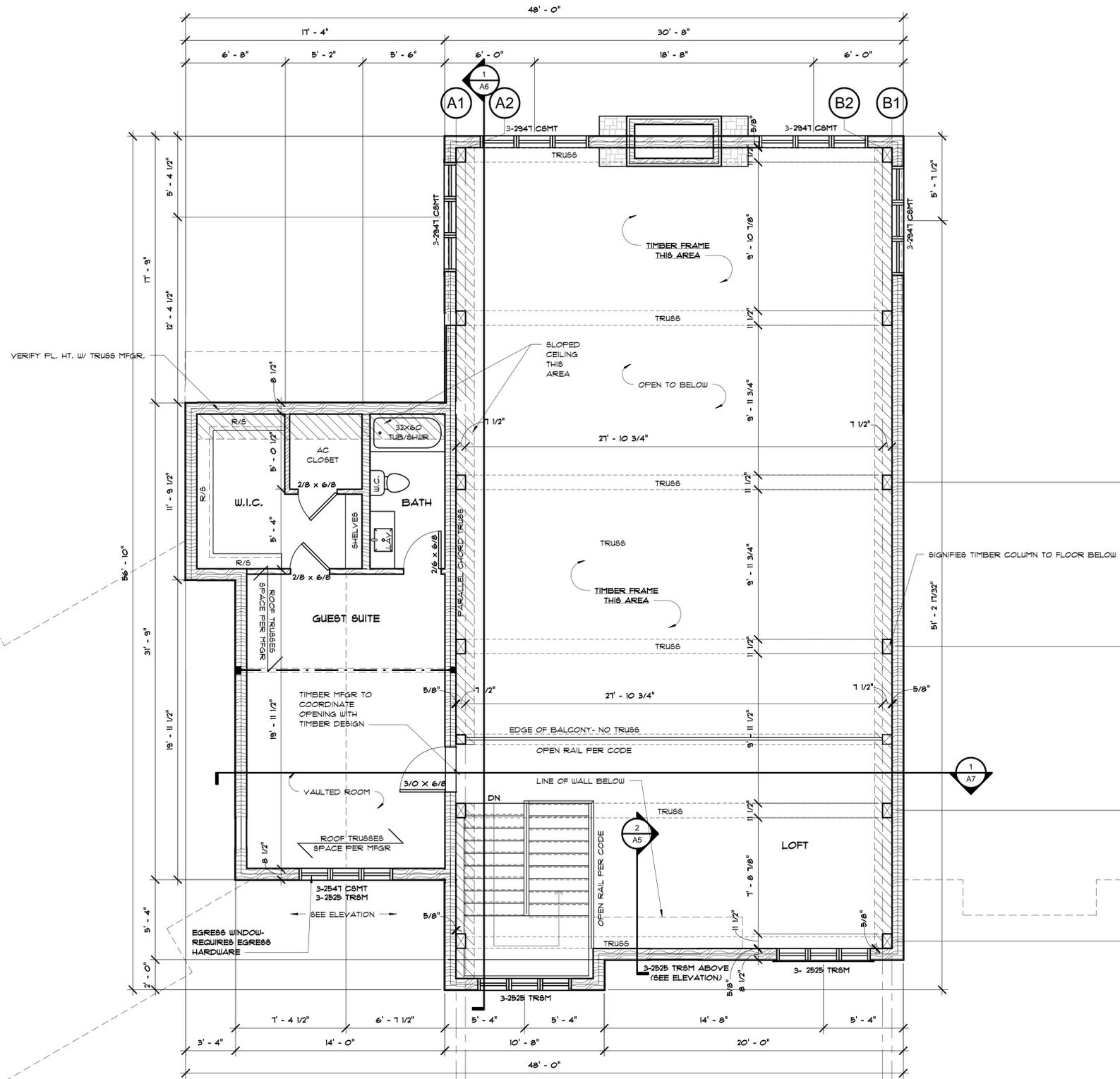


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 ARCHITECTS
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1026 N ANKENY BLVD #130
 ANKENY, IOWA 50203
 PHONE: (515) 965-5336
 FAX: (515) 965-5335
 info@imprintarch.com

ROOM SCHEDULE- UPPER FLOOR							
Level	Name	Area	Perimeter	Floor Finish	Ceiling Finish	Wall Finish	Comments
UPPER FLOOR	BATH	53 SF	30' - 4 1/2"				
UPPER FLOOR	GUEST SUITE	229 SF	95' - 0 1/2"				
UPPER FLOOR	LOFT	409 SF	110' - 11 1/4"				
UPPER FLOOR	W.I.C.	83 SF	43' - 9 1/4"				

*NOTE: AREA'S PROVIDED FOR CONVENIENCE PURPOSES ONLY. GENERAL CONTRACTOR TO VERIFY ALL FLOOR AREA'S PRIOR TO BIDDING AND CONSTRUCTION.
 *NOTE: VERIFY FINISHES NOT SPECIFIED WITH GENERAL CONTRACTOR PRIOR TO BIDDING AND/OR CONSTRUCTION.



1 UPPER FLOOR
 SCALE: 1/4" = 1'-0"

PRELIMINARY-NOT FOR CONSTRUCTION

15-111
 1605N ANKENY BLVD #1030
 ANKENY, IOWA 50203
 PHONE: (515) 965-5336
 FAX: (515) 965-5335
 imprint@imprintarch.com
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BRIDGEWATER RESIDENCE
 GARY AND DIANE BRIDGEWATER
 1600 NW 104TH CT, JOHNSTON, IOWA, 50131

DATE	DRWN	CHKD
2-26-16	ML	KC
REVISED:		

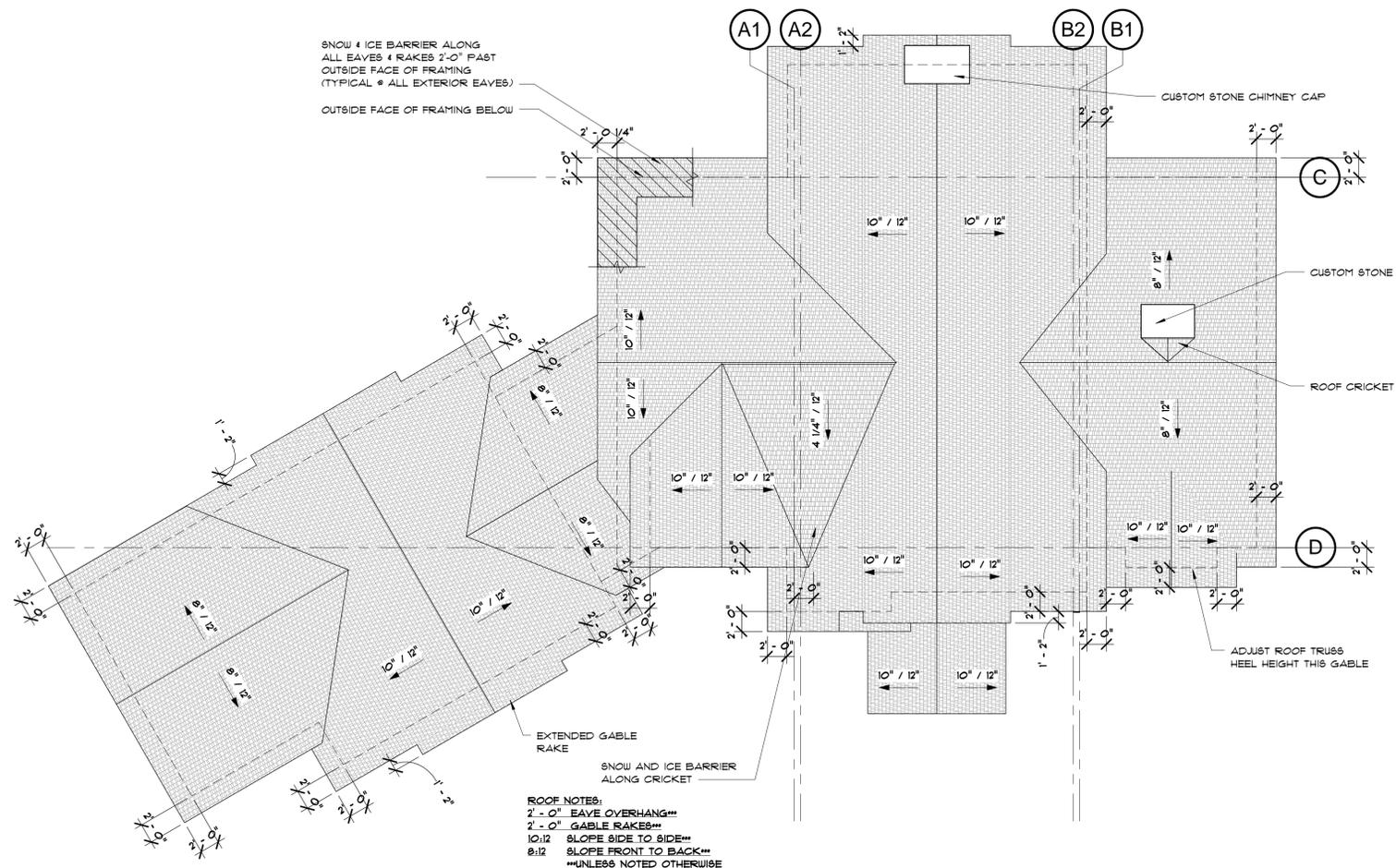
A4

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DATE	DRAWN BY	CHKD BY
2-26-16	ML	KC

REVISED	BY	DATE

PRELIMINARY-NOT FOR CONSTRUCTION



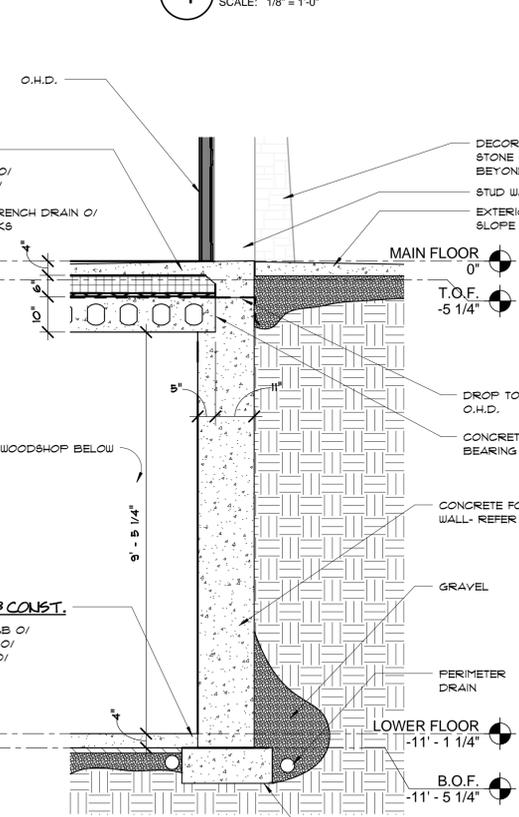
4 ROOF PLAN
SCALE: 1/8" = 1'-0"

GARAGE FLOOR CONST.

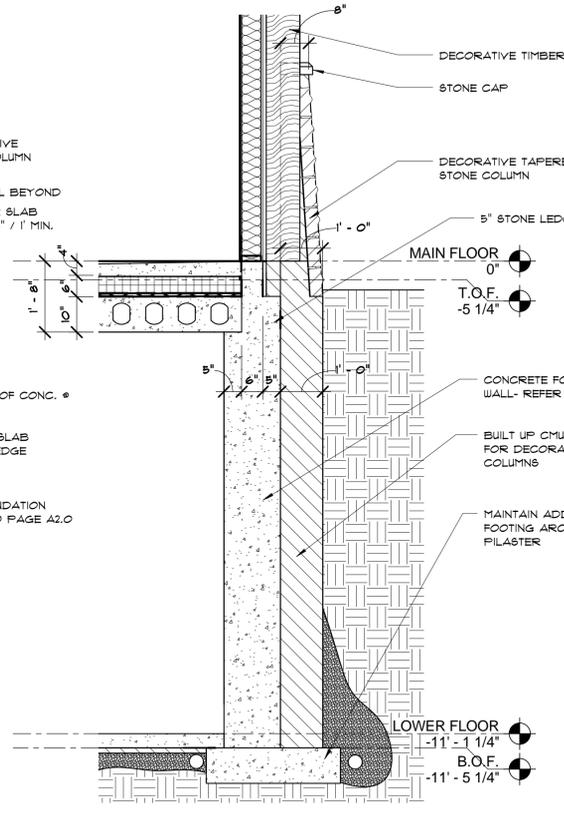
- 4" REINFORCED CONCRETE SLAB O/
- 5" TAPERED INSULATION 60 PSF O/
- CORRUGATED DRAINAGE MAT O/
- CONT. ROOF MEMBRANE UNDER TRENCH DRAIN O/
- 10" STRUCTURAL CONCRETE FLANKS

TYPICAL CONCRETE SLAB CONST.

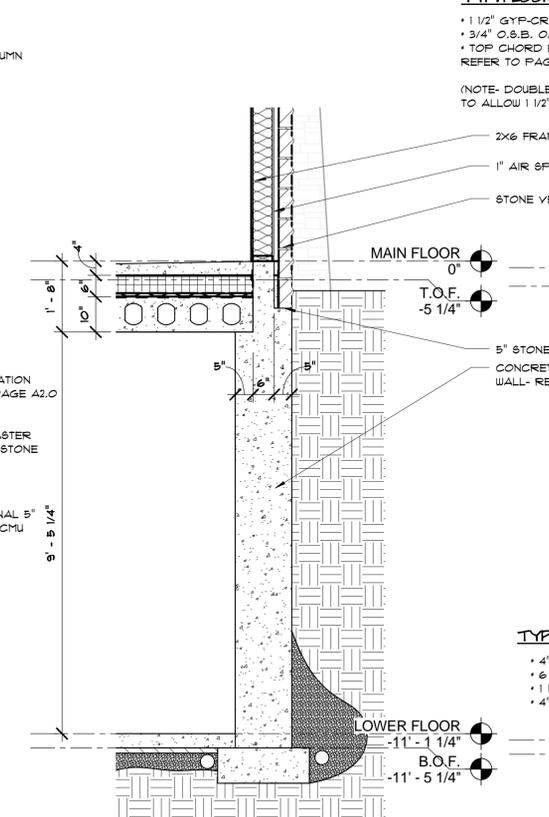
- 4" REINFORCED CONCRETE SLAB O/
- 6 MIL. POLY VAPOR BARRIER O/
- 1 1/2" INSULATION BELOW SLAB O/
- 4" MIN. COMPACTED GRAN FILL



1 GARAGE DOOR SECTION 1
SCALE: 1/2" = 1'-0"



3 GARAGE DEC. COLUMN SECTION
SCALE: 1/2" = 1'-0"



5 TYPICAL GARAGE WALL SECTION
SCALE: 1/2" = 1'-0"

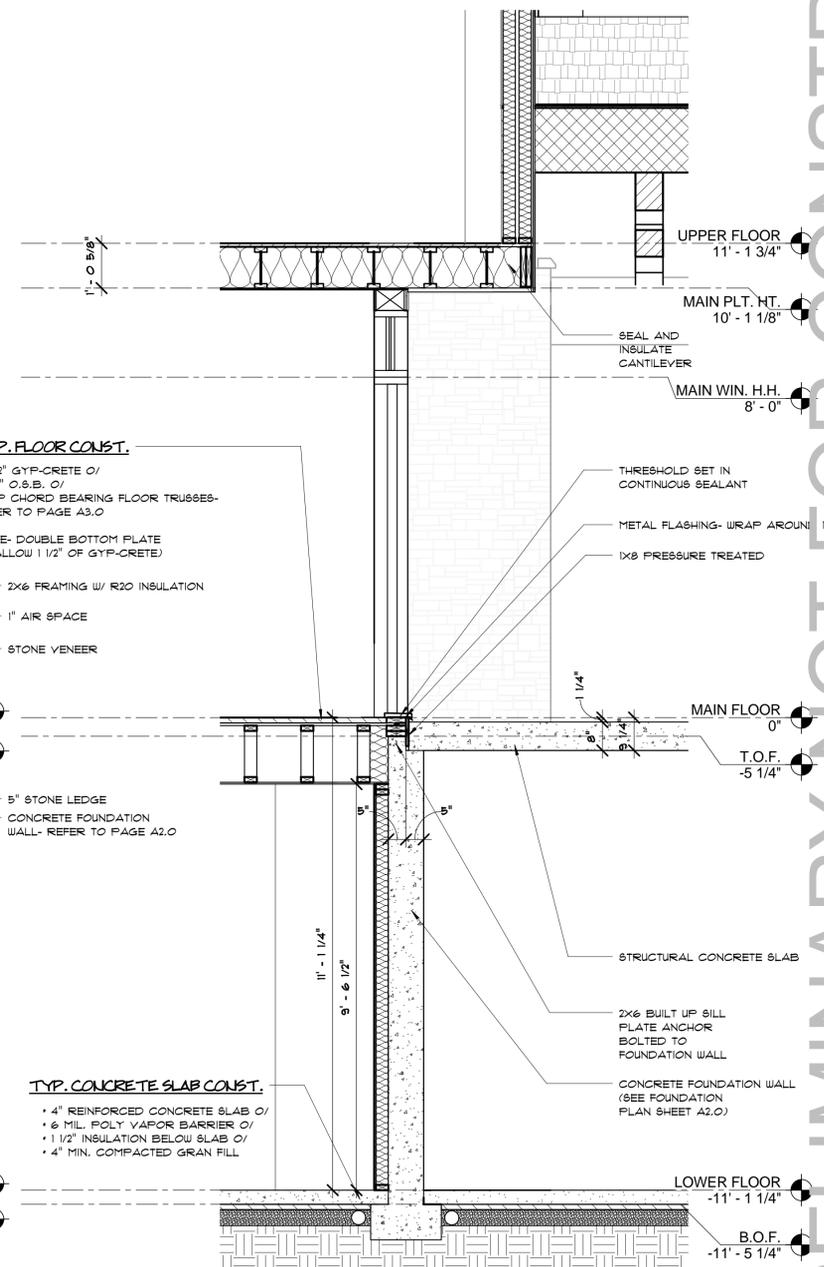
TYP. FLOOR CONST.

- 1 1/2" GYP-CRETE O/
- 3/4" O.S.B. O/
- TOP CHORD BEARING FLOOR TRUSSES- REFER TO PAGE A3.0

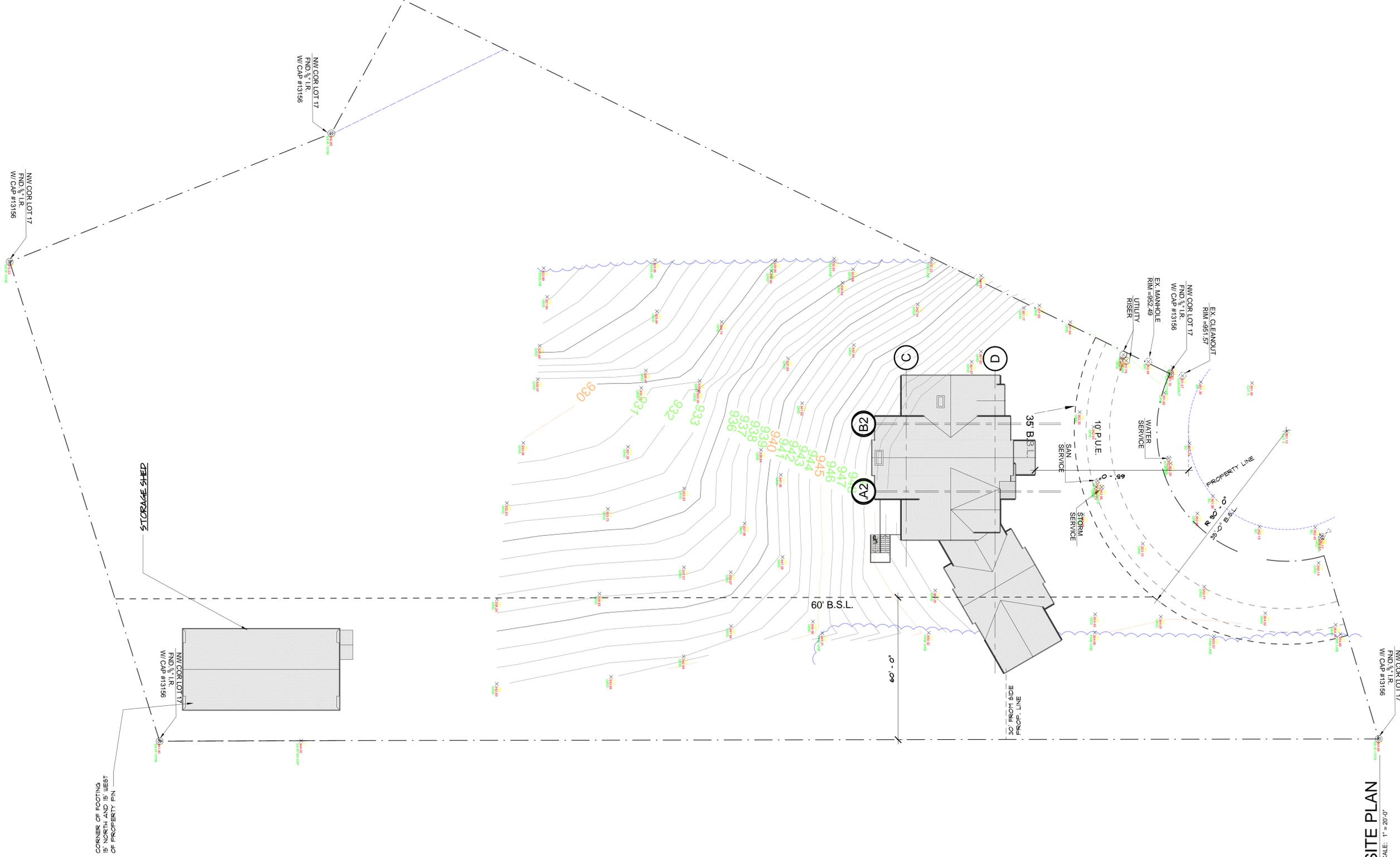
(NOTE: DOUBLE BOTTOM PLATE TO ALLOW 1/2" OF GYP-CRETE)

TYP. CONCRETE SLAB CONST.

- 4" REINFORCED CONCRETE SLAB O/
- 6 MIL. POLY VAPOR BARRIER O/
- 1 1/2" INSULATION BELOW SLAB O/
- 4" MIN. COMPACTED GRAN FILL

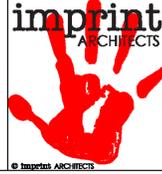


2 FRONT DOOR SECTION
SCALE: 1/2" = 1'-0"



1 SITE PLAN
SCALE: 1" = 20'-0"

PRELIMINARY-NOT FOR CONSTRUCTION



DATE	DRWN BY	CHKD BY
2-26-16	ML	KC
REVISED		

BRIDGEWATER RESIDENCE
GARY AND DIANE BRIDGEWATER
 7600 NW 104TH CT, JOHNSTON, IOWA, 50131

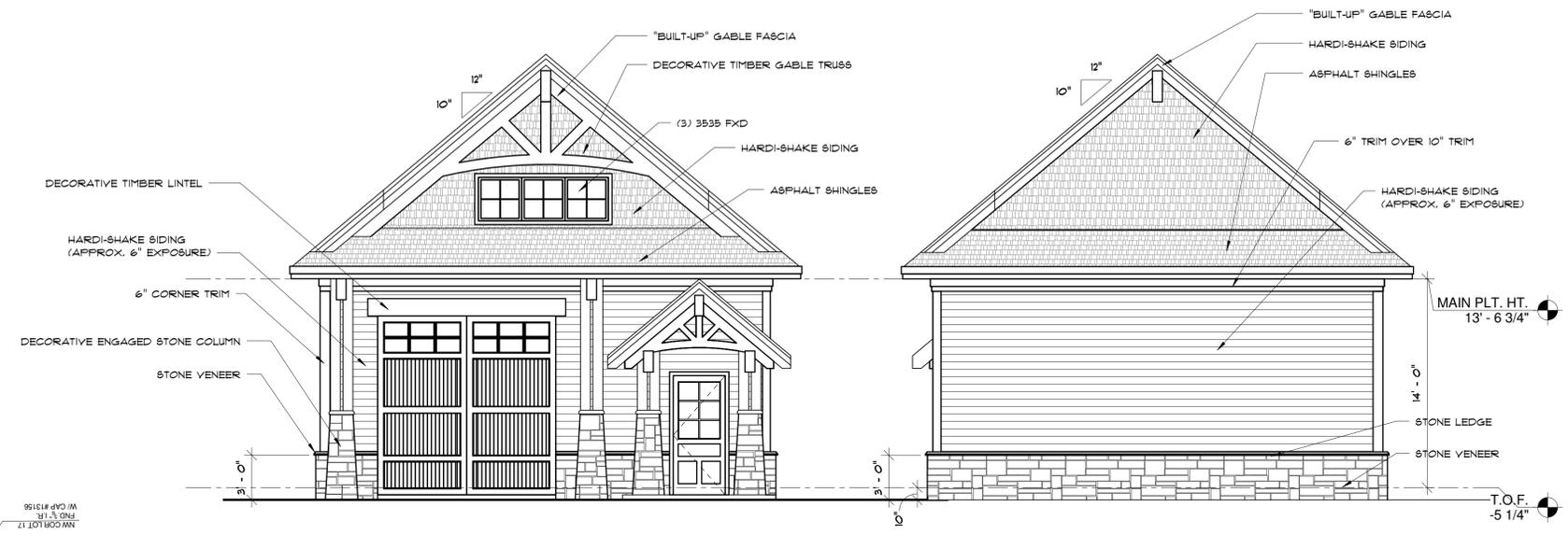
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DATE:	DESIGN BY:	CHK'D BY:
9/18/15	ML	KC
REVISED:		

PRELIMINARY NOT FOR CONSTRUCTION

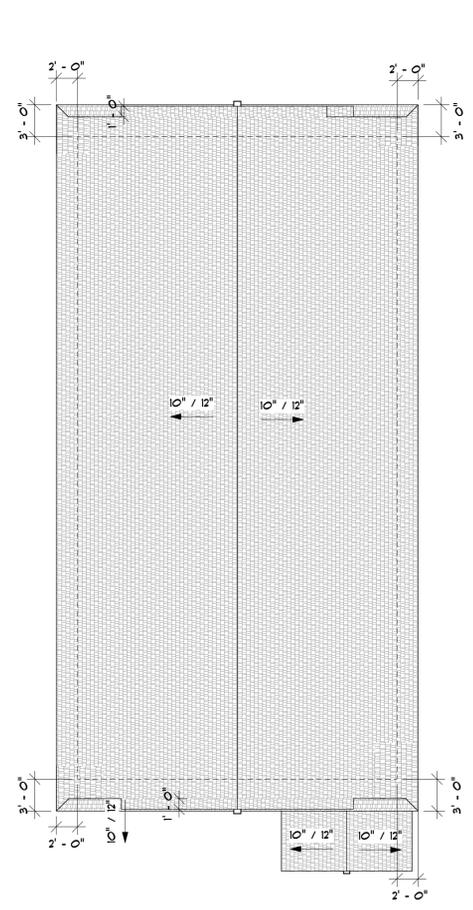


6 SITE PLAN
SCALE: 1" = 30'-0"

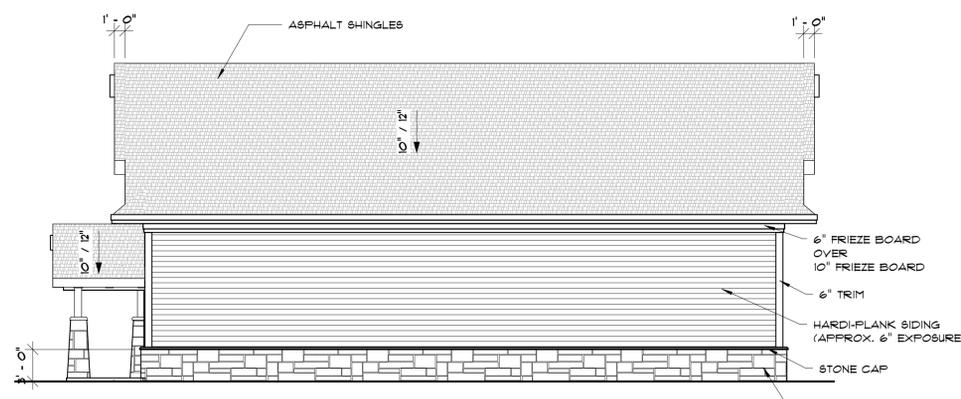


1 FRONT
SCALE: 3/16" = 1'-0"

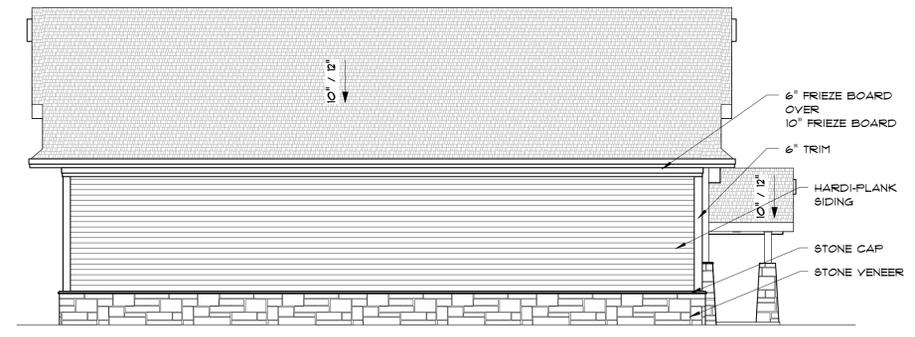
2 BACK
SCALE: 3/16" = 1'-0"



5 ROOF PLAN
SCALE: 1/8" = 1'-0"

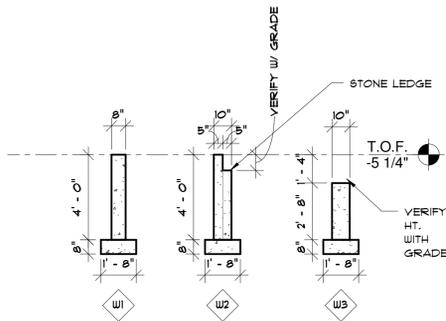


4 RIGHT
SCALE: 1/8" = 1'-0"



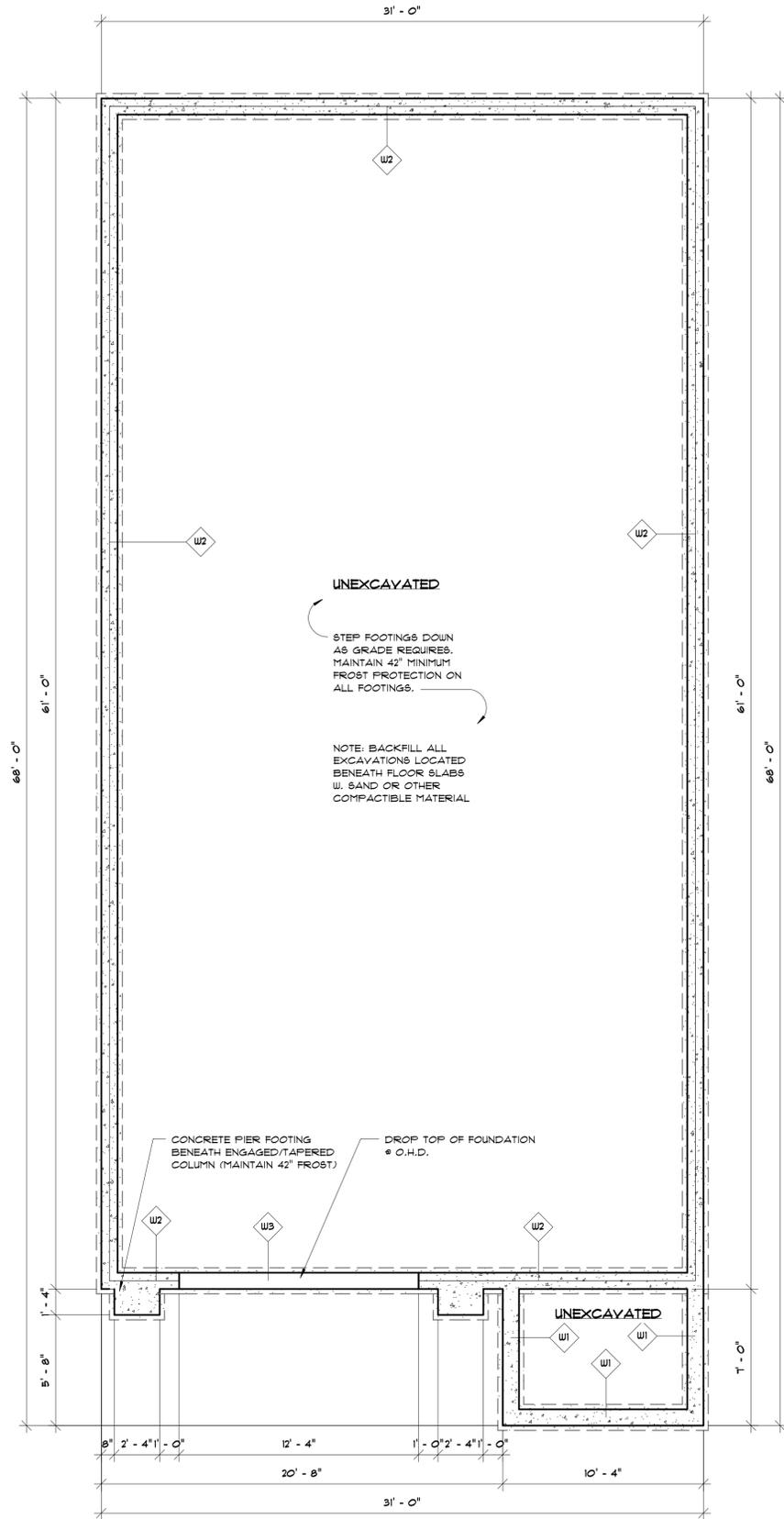
3 LEFT
SCALE: 1/8" = 1'-0"

9/21/2016 9:45:09 AM
 V:_2016 Projects\15-III Bridgewater Residence\BRIFF FILES\Bridgewater ACE55001\BUILDING 9-21-16.rvt

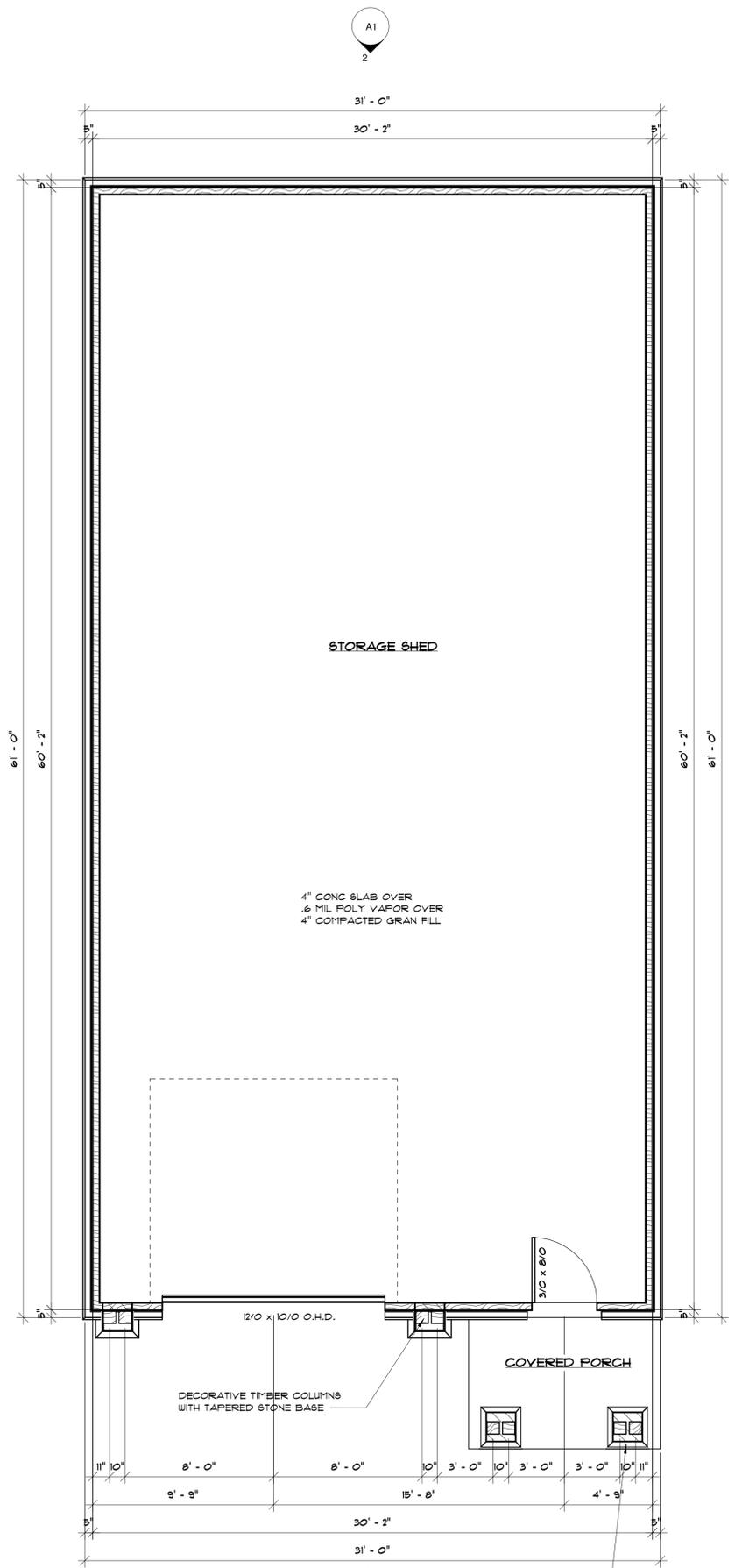


VERIFY ALL CHANGES IN WALL ELEVATION ON SITE. MAINTAIN 42" MINIMUM FROST PROTECTION AT ALL TIMES.

2 FOOTING LEGEND
 SCALE: 1/4" = 1'-0"



6 LOWER FLOOR FINISH PLAN
 SCALE: 1/4" = 1'-0"



1 MAIN FLOOR
 SCALE: 1/4" = 1'-0"

PRELIMINARY NOT FOR CONSTRUCTION

DATE:	DESIGN BY:	CHK'D BY:
9/18/16	ML	KC
REVISED:		

Name	Address	City, State, Zip Code
WILLIAM ROSE KIMBERLEY DEVELOPMENT CORPORATION	7580 NW 100TH ST PO BOX 369	GRIMES, IA 50111- 8793 ANKENY, IA 50021-0369
DANIEL MC CABE	10502 NW 75TH PL	GRIMES, IA 50111- 1064
KYLE ALLIMAN	7611 NW 104TH CT	GRIMES, IA 50111- 4797
DAVID AUSTIN	10505 NW 75TH PL 8950 CYPRESS WATERS BLVD	GRIMES, IA 50111- 1064 COPPELL, TX 75019-4620
US BANK NA (TRUSTEE)		

Notice of Public Meeting

March 30, 2016

The Johnston Planning and Zoning Commission will hold a Public Meeting at 7:00 pm on Monday, April 11th, 2016. The Johnston City Council will hold a Public Meeting at 7:00 PM on Monday April 18th, 2016. Both meetings will be held in the Council Chambers of Johnston City Hall, 6221 Merle Hay Road to consider the following item:

Silverstone Plat 2 Development Agreement Amendment

The applicants, Gary and Diane Bridgewater have submitted a request to amend the Development Agreement for Silverstone Plat 2 as it relates to Lot 17 Silverstone Plat 2. The nature of the request is in regards to reducing the building setback along their eastern property boundary.

If you have questions or comments on the above-described action, please contact the city staff person listed at the bottom of this card, or attend the meeting at the above-listed date and time. Additional information is also available under the "proposed development" section of the City's Website: <http://www.cityofjohnston.com/Index.aspx?NID=435>.

Clayton Ender, Planning Intern
Johnston City Hall: 6221 Merle Hay Road; Johnston, IA 50131
Phone: 727-7763; Email: intern@cityofjohnston.com



Planning & Zoning Commission

COMMUNITY DEVELOPMENT DEPARTMENT

April 11th, 2016 Meeting

SUBJECT: Consider making a recommendation on annexation and establishment of a zoning district for 22.25 acres located east NW Beaver Drive and north of NW 78th Avenue currently within unincorporated Polk County, known as the Minks Monk 2016 Annexation.

SYNOPSIS:

An application for voluntary annexation has been submitted for one parcel located east of NW Beaver Drive and north of NW 78th Avenue, this application has been received from The Enclave of Johnston, LLC. Five right-of-way parcels owned by Polk County are being included in this annexation in order to avoid the creation of an island and to create more uniform boundaries.

At the time of annexation, a zoning district can be established for annexed parcels. With this annexation, the applicant is petitioning for the establishment of an R-1(100) district as described in the staff report and shown on the attached map.

RECOMMENDATION:

Staff recommends approval and provides the following motion for Planning and Zoning Commission's consideration:

The Planning & Zoning Commission recommends approval of the Application for Voluntary Annexation with right-of-way included and an Official Zoning Map amendment for 22.25 acres to an R-1(100) zoning district classification.

- Attachments:
- Annexation Area Map
 - Annexation Area Map In Relation To Current City Boundaries
 - Application for Voluntary Annexation
 - Petition for Zoning Classification Change
 - Water Utility Map
 - Sanitary Sewer Map
 - Proposed Zoning District Map
 - Johnston 2030 Comprehensive Plan Future Land Use Map
 - City of Johnston Notice of Hearing of Annexation
 - Chapter 167.04 of City of Johnston Code of Ordinances

PROPERTY OWNER:	THE ENCLAVE OF JOHNSTON LLC 1350 NW 138TH ST STE 450 CLIVE, IA 50325								
LEGAL DESCRIPTION:	Lot 4, Lot C, part of Lot B, except the East 300 feet thereof, and the portion of Lot A lying north and east of the centerline of NW Beaver Drive, all a part of Hughes Acres as recorded in Book R, Page 795, Polk County Records office and all the Road Right of Way in the SE 1/4 of the SW ¼, of Section 25, T80N, R25W of the 5 th P.M., lying North and East of the centerline of NW Beaver Drive.								
BACKGROUND & HISTORY:	<p>The City Council initiated a review of this application for voluntary annexation and establishment of zoning district classification at their March 21st, 2016, meeting and referred it to the Planning and Zoning Commission for review and recommendation.</p> <p>The property to be annexed is part of Hughes Acres, an official plat in Polk County. The plat was approved by the Polk County Board of Supervisors in November of 1976. After some research staff learned that the right-of-way in the area was not properly annexed during previous annexations. In order to rectify this and to avoid the creation of an unincorporated island and to create more uniform boundaries, additional right-of-way is being included with this proposed annexation.</p>								
SUMMARY OF ANNEXATION AREA:	<p>The annexation area includes 3.81 acres of right of way owned/controlled by Polk County. Pursuant to Chapter 368 of the Iowa Code, this right of way has been identified as consenting property.</p> <p>The annexation area totals 22.25 acres and includes the following acreage and percentage of the following ownership types:</p> <table border="0" style="margin-left: 20px;"> <tr> <td colspan="2">Consenting</td> </tr> <tr> <td style="padding-left: 20px;">Right of Way (Polk County)</td> <td style="text-align: right;">3.81Acres / 17.1%</td> </tr> <tr> <td style="padding-left: 20px;">Petitioned Property</td> <td style="text-align: right;">18.44 Acres / 82.9%</td> </tr> <tr> <td style="padding-left: 20px;">Total Consenting</td> <td style="text-align: right;">22.25 Acres / 100%</td> </tr> </table> <p>The annexation area contains one existing single family residential dwelling and two accessory structures.</p>	Consenting		Right of Way (Polk County)	3.81Acres / 17.1%	Petitioned Property	18.44 Acres / 82.9%	Total Consenting	22.25 Acres / 100%
Consenting									
Right of Way (Polk County)	3.81Acres / 17.1%								
Petitioned Property	18.44 Acres / 82.9%								
Total Consenting	22.25 Acres / 100%								
CONSULTATION MEETING:	A consultation meeting is not required for this annexation proceeding since the area is not within the urbanized area of any other incorporated community.								

UTILITIES:

Currently, the City has an existing 12 inch water main along NW Beaver Drive. This main branches out to an 8 inch water main that extends along NW 63rd Court. NW 63rd Court is the western boundary for the applying parcel. The water main system is shown in Exhibit E.

Low Pressure Sewer (LPS) is currently available to the applying parcel from NW 63rd Court. The sanitary sewer system is shown in Exhibit F.

**POLICE AND FIRE
COVERAGE:**

This area is within the current response area of the Johnston Fire Department. In 2007, the cities of Johnston and Grimes entered into a 28E agreement whereby the Johnston Fire Chief also serves in the same capacity in Grimes. This has resulted in joint response, joint training and joint command and as such the two departments essentially function as one department with three stations. Any fire calls within this annexation area could result in units responding from all stations. The Johnston department currently has full time paid staff on call in the station 24 hours per day seven days a week. This property is within a 5 minute response area from the public safety building for fire and ambulance services.

The Johnston Police Department currently has 28 sworn officers or 1.37 officers for every 1,000 residents (based upon an estimated population of 20,500 people). The police department's goal is to not exceed 1.5 officers per 1,000 residents.

**OTHER PUBLIC
SERVICES:**

With the annexation, the City will take over ownership and maintenance of all of the public streets, which includes approximately 0.85 lane miles. Any future improvements to any of these streets would be programmed into a future CIP. Maintenance of the area, including snow removal would be absorbed into the existing maintenance budgets. In reviewing the annexation area with the Public Works staff, they do not anticipate the need for a new snow route for this area. The increase in the City's population as a result of the existing and future residents of this area will result in increases in the City's Road Use Tax allotment which funds most street maintenance and other operations.

**COMPREHENSIVE
PLAN:**

This property is not within any specified future growth area in the comprehensive plan, but a future land use designation of low density residential is shown on the future land use map. The possible zoning designations for the area of the annexation that would adhere to the comprehensive plans future land use plan are included below.

**PROPOSED ZONING
DISTRICT & BULK
REGULATIONS:**

At the time of annexation, the City has the option to establish a zoning district. For those areas where no district is determined an AR Agricultural Reserve district is assigned.

R-1(100) – Single Family Residential:

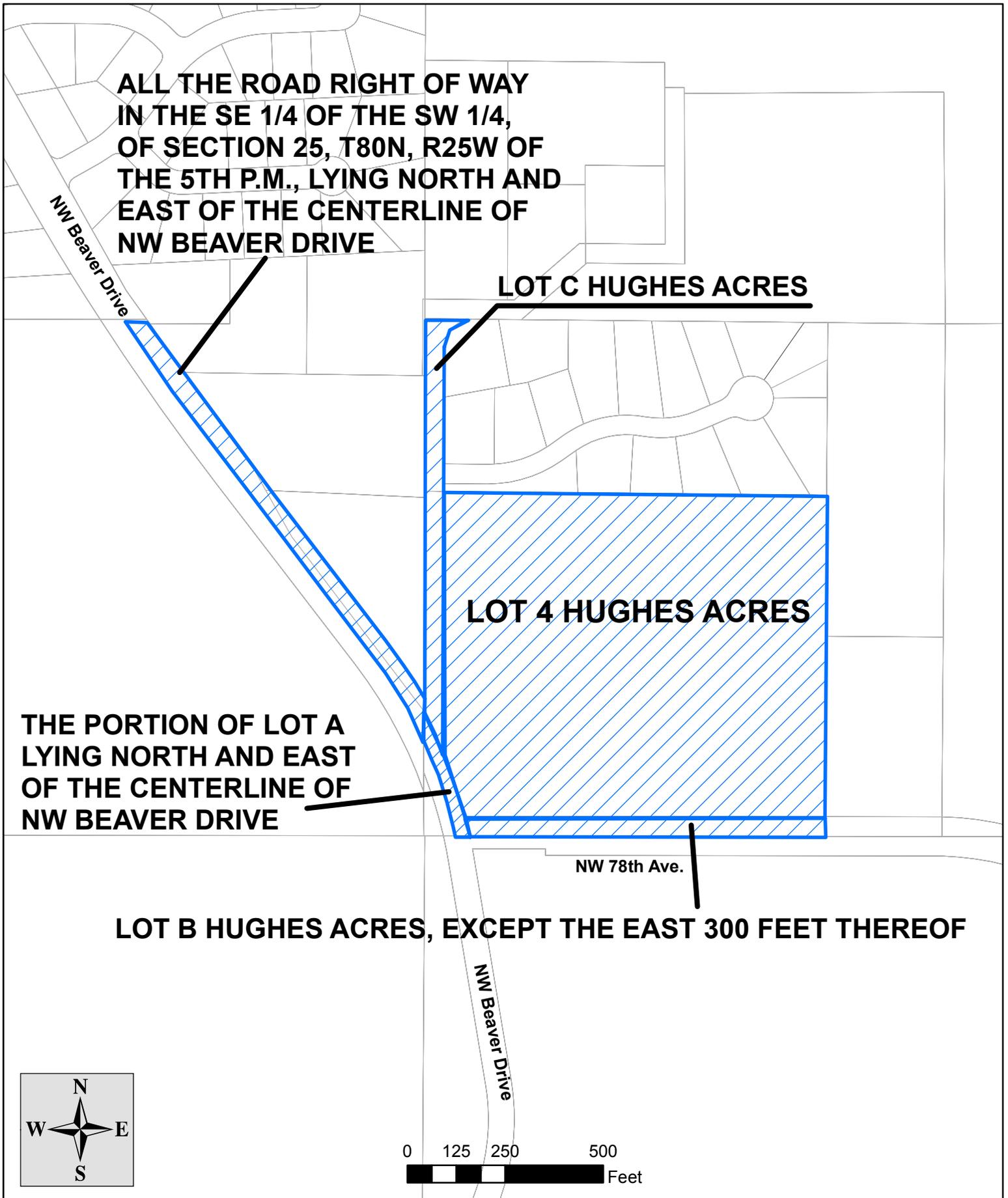
The applicant has petitioned to establish this area as part of the R-1(100) zoning district. Staff would agree and recommend establishing this property as part of the R-1(100) zoning district. This is because adjacent properties within the City of Johnston are zoned as R-1(100) and this zoning district would be consistent with the comprehensive plans future land use map vision of low density residential. This zoning district allows for single family detached homes with the following bulk requirements:

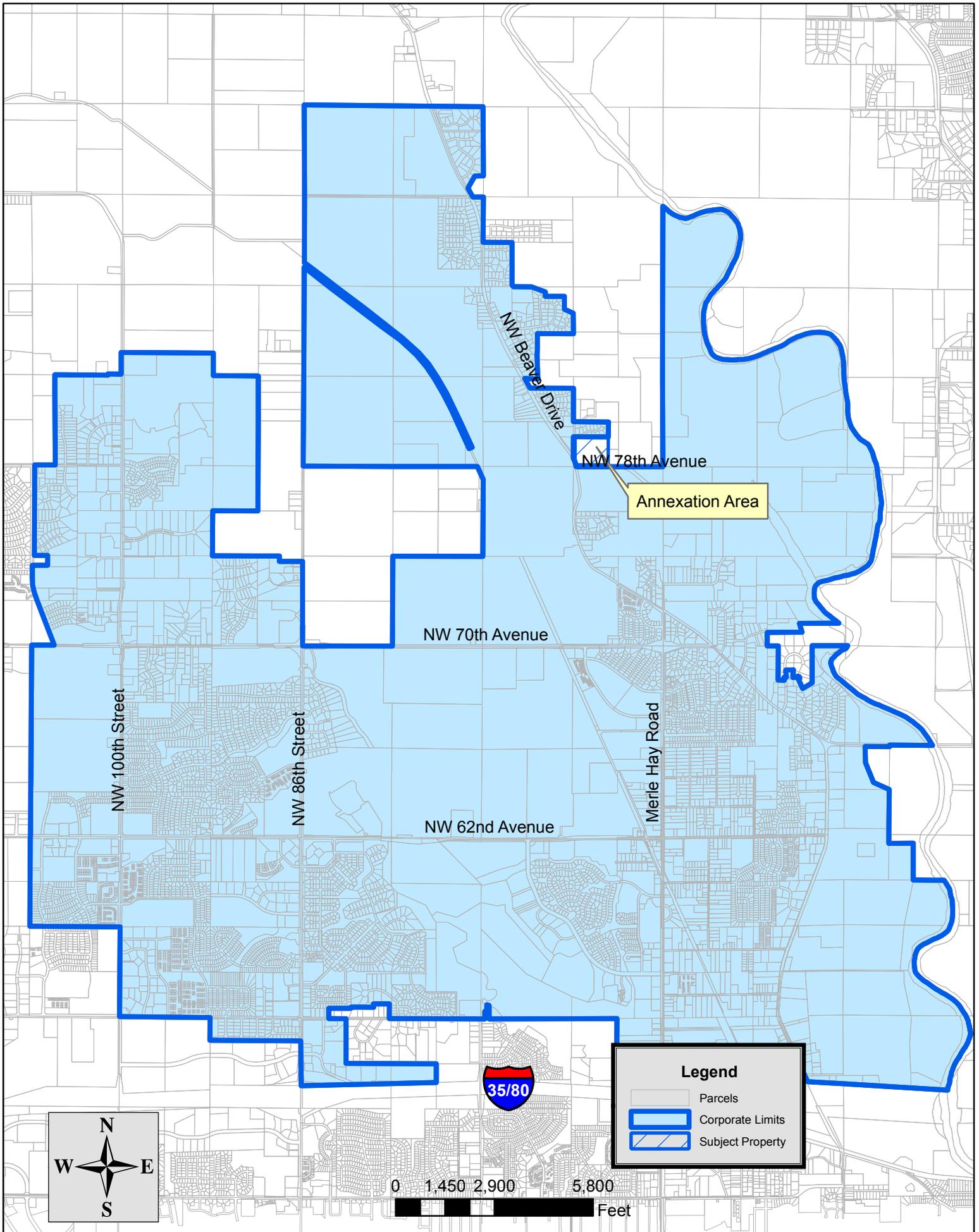
Maximum DU/AC	Max Building Height (In Feet)	Minimum Lot Area (Square Feet)	Minimum Lot Width (In Feet)
1.97	35	15,000	100
Minimum Setback (In Feet)			
Front	Side/Sum	Rear	
40	10/21	40	

ADJACENT NEIGHBOR COMMENTS:

Pursuant to Chapter 368 of the Iowa Code, a notice will be mailed (certified/return receipt) to the Polk County Board of Supervisors and the Polk County Attorney. In addition, notice was sent (via regular mail) to all properties within 320 feet of the annexation area to meet the requirements of the Zoning Ordinance for a rezoning of property, this notice is included as an attachment to this staff report.

EXHIBIT A: Minks Monk Annexation Area





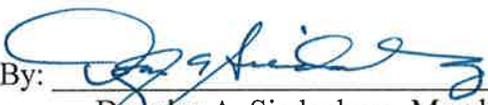
Application for Voluntary Annexation

We the undersigned, acting under Section 368.7, Voluntary Annexation of Territory, Code of Iowa, and being the owners of all the property legally described below, hereby request voluntary annexation of said legally described property, to become a part of the City of Johnston, Polk County, Iowa:

Lot 4, Hughes Acres, an official plat, all now included in and forming a part of Polk County, Iowa.

Owner:
The Enclave of Johnston, L.L.C.

By: 
Kevin P. Kohles, Member

By: 
Douglas A. Siedenburgh, Member

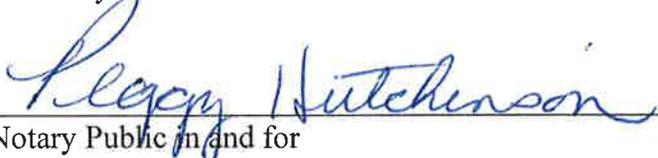
Date: 11/15/16

STATE OF IOWA:

ss

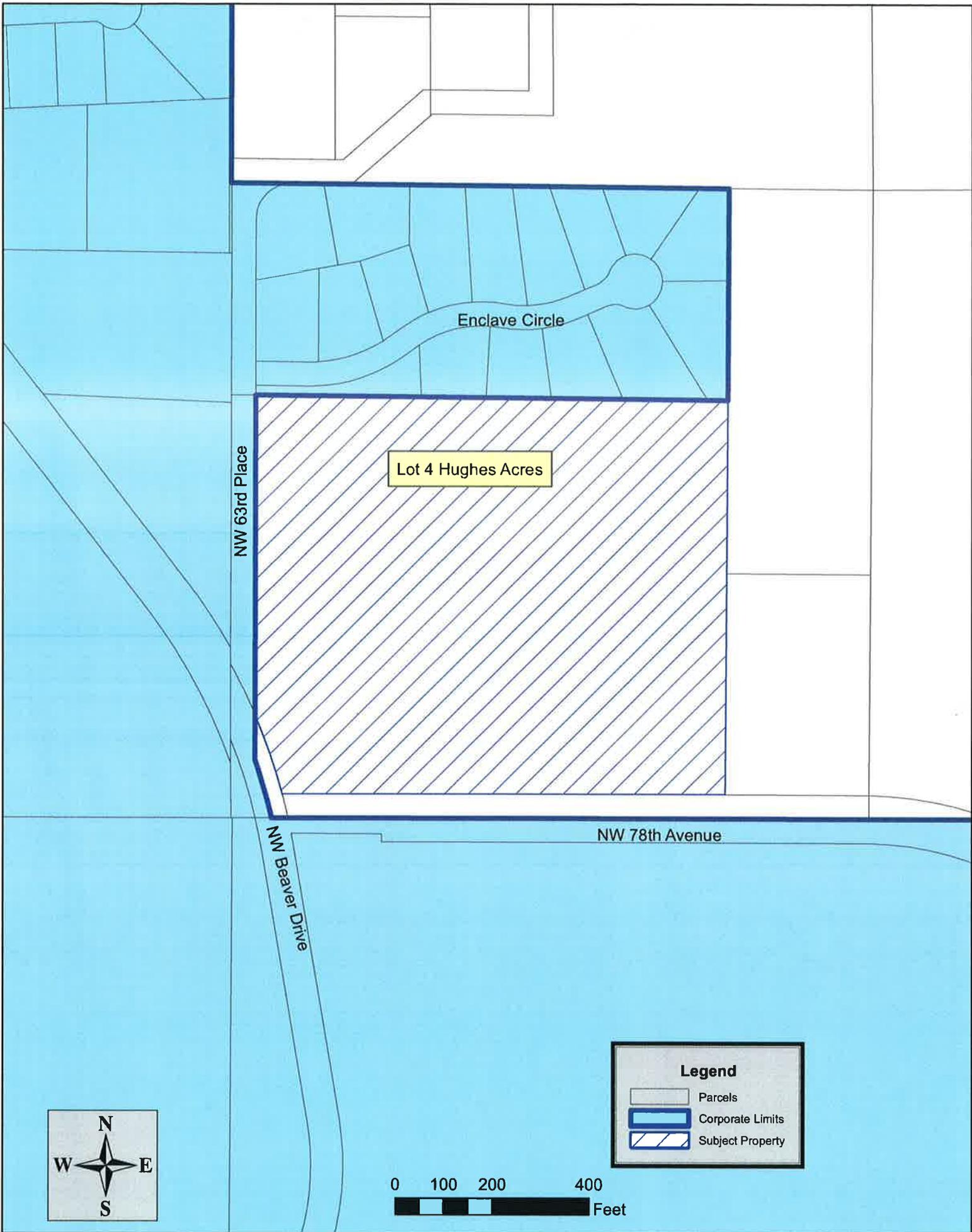
COUNTY OF Polk:

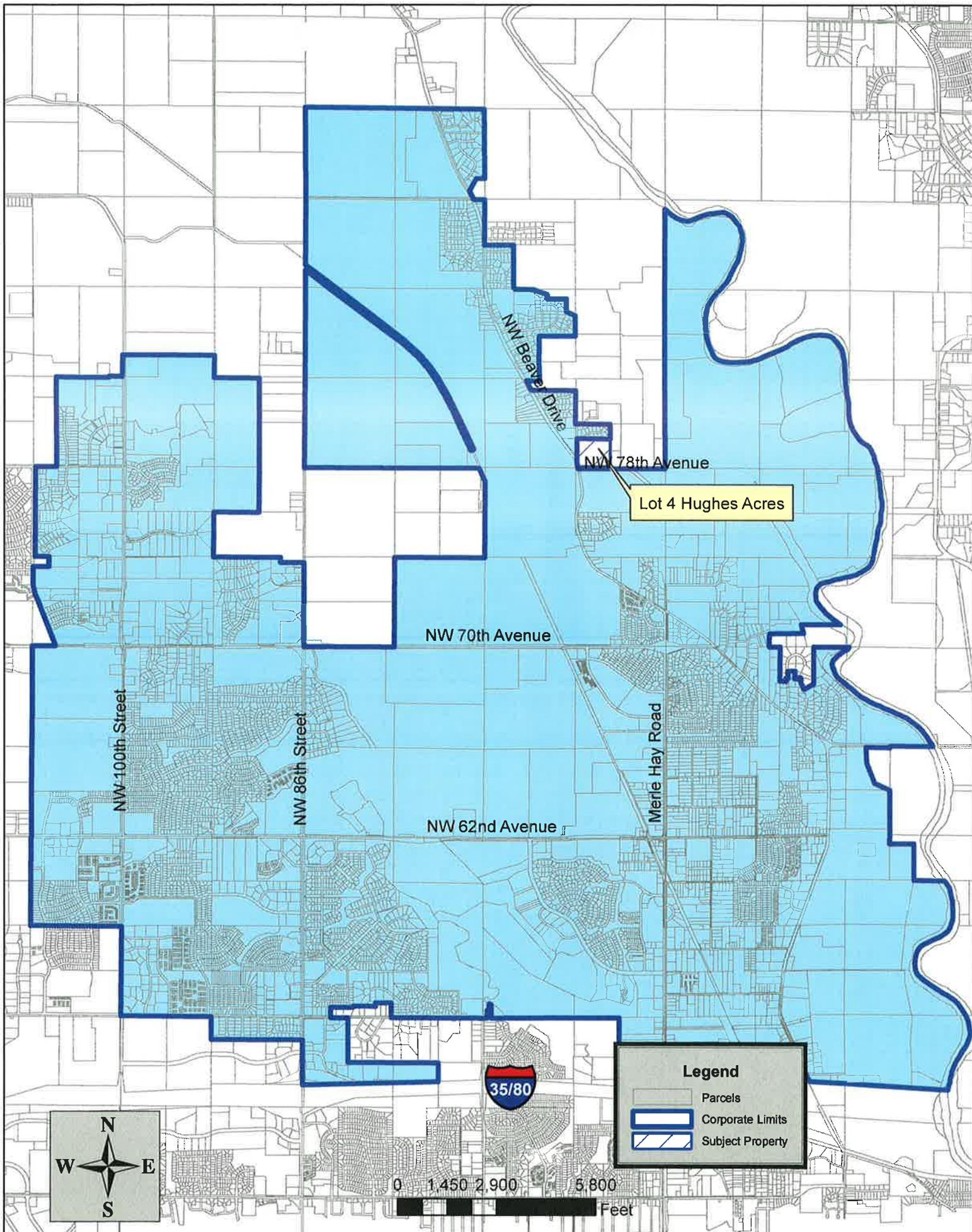
On this 15 day of JANUARY, 2016, before me, the undersigned, a Notary Public for the State of Iowa, personally appeared Kevin P. Kohles and Douglas A. Siedenburgh, as Members of The Enclave of Johnston, L.L.C., and who executed the within and foregoing instrument, and acknowledged that they executed the same as a voluntary act and deed.


Notary Public in and for

POLK, IOWA
County, State







PETITION FOR CHANGE IN ZONING CLASSIFICATION

To: Honorable Mayor and City Council
Johnston City Hall
6221 Merle Hay Road
P.O. Box 410
Johnston, IA 50131-0410

Date: March 9, 2016

We, the owners of property located at 7807 N.W. Beaver Dr.
respectfully petition you to amend the Johnston Zoning Ordinance by rezoning the following legally
described property:

Lot 4 Hughes Acres in Polk County Iowa

from the unzoned District to the R-100 District.
(Present Zoning) (Proposed Zoning)

Provided herewith on the attached pages are the signatures of the owners of at least fifty percent (50%) of
the property within 250 feet of the petitioned area, all as property owners consenting to this petitioned
rezoning.

[Signature]
Signature of Petitioner

6526 N.W. 84th Cr. Johnston, 50131
Address

515-778-0555
Phone Number

Attachments

FOR OFFICE USE ONLY

Petition Received By: _____ Date: _____

Petition Filed: _____ Fee Paid: _____ Receipt Number: _____

RECEIVED
MAR 9 - 2016

Exhibit E: Minks Monk Annexation Area Water Utility Map

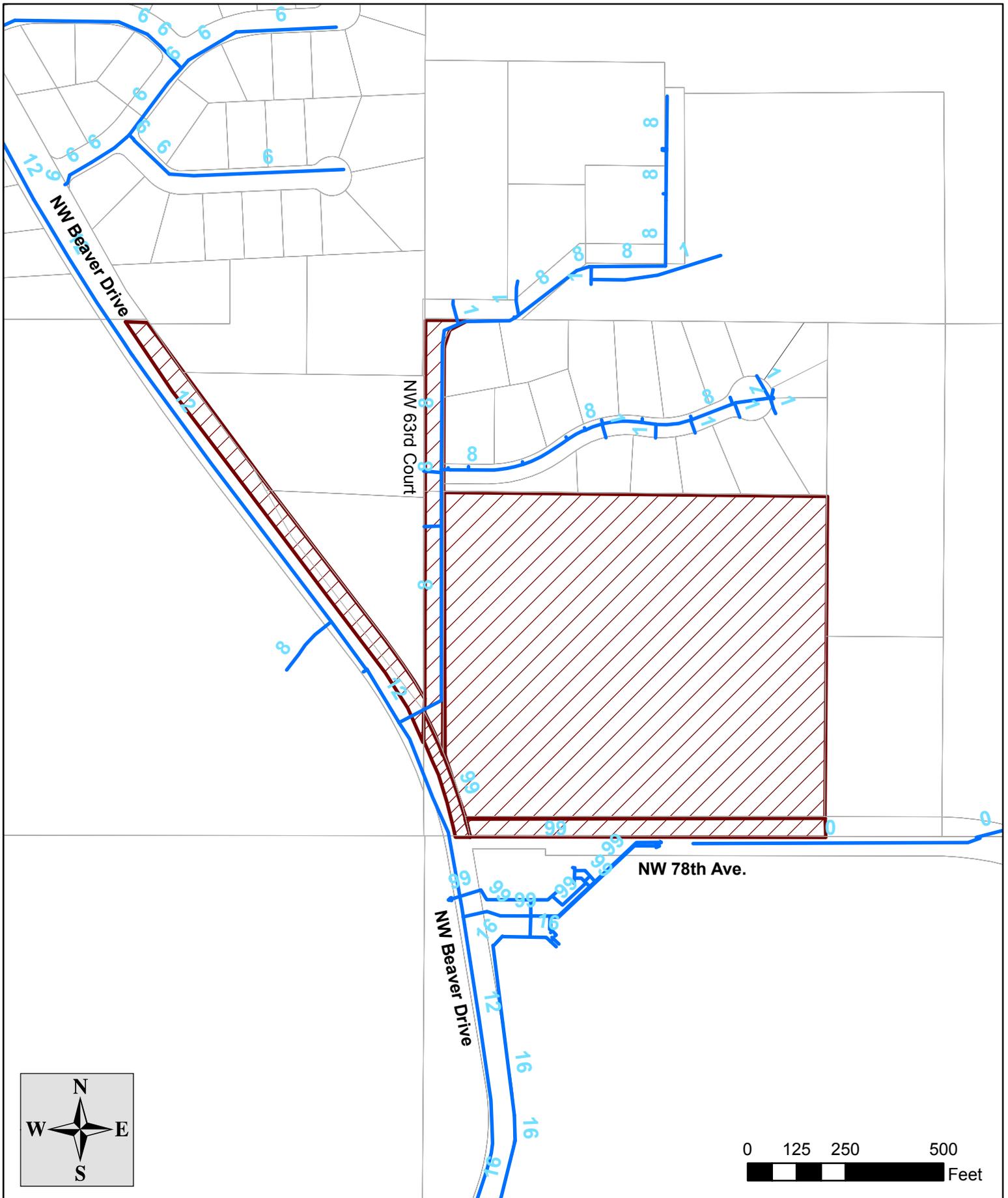


Exhibit F: Minks Monk Annexation Area Sanitary Sewer Utility Map

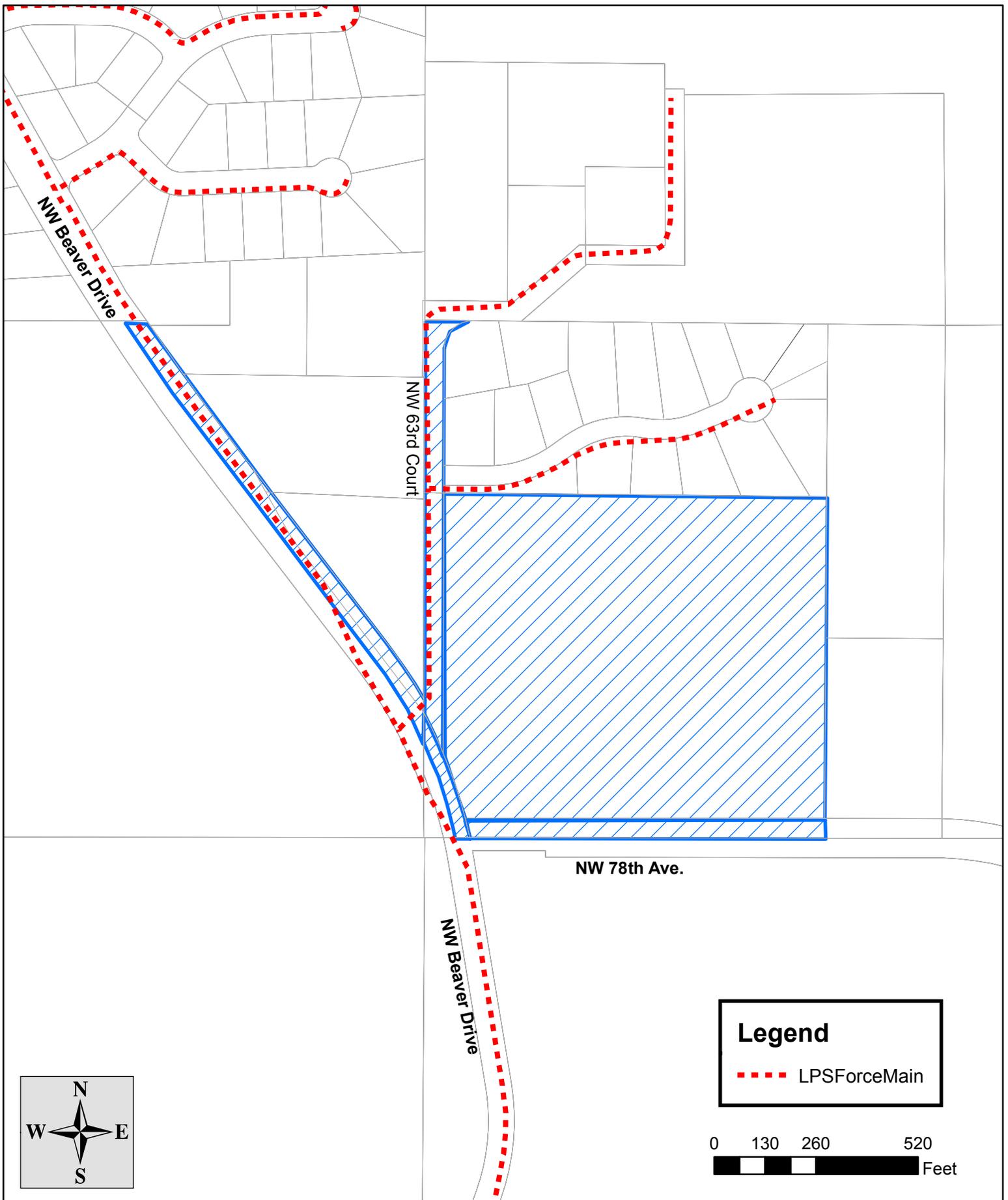
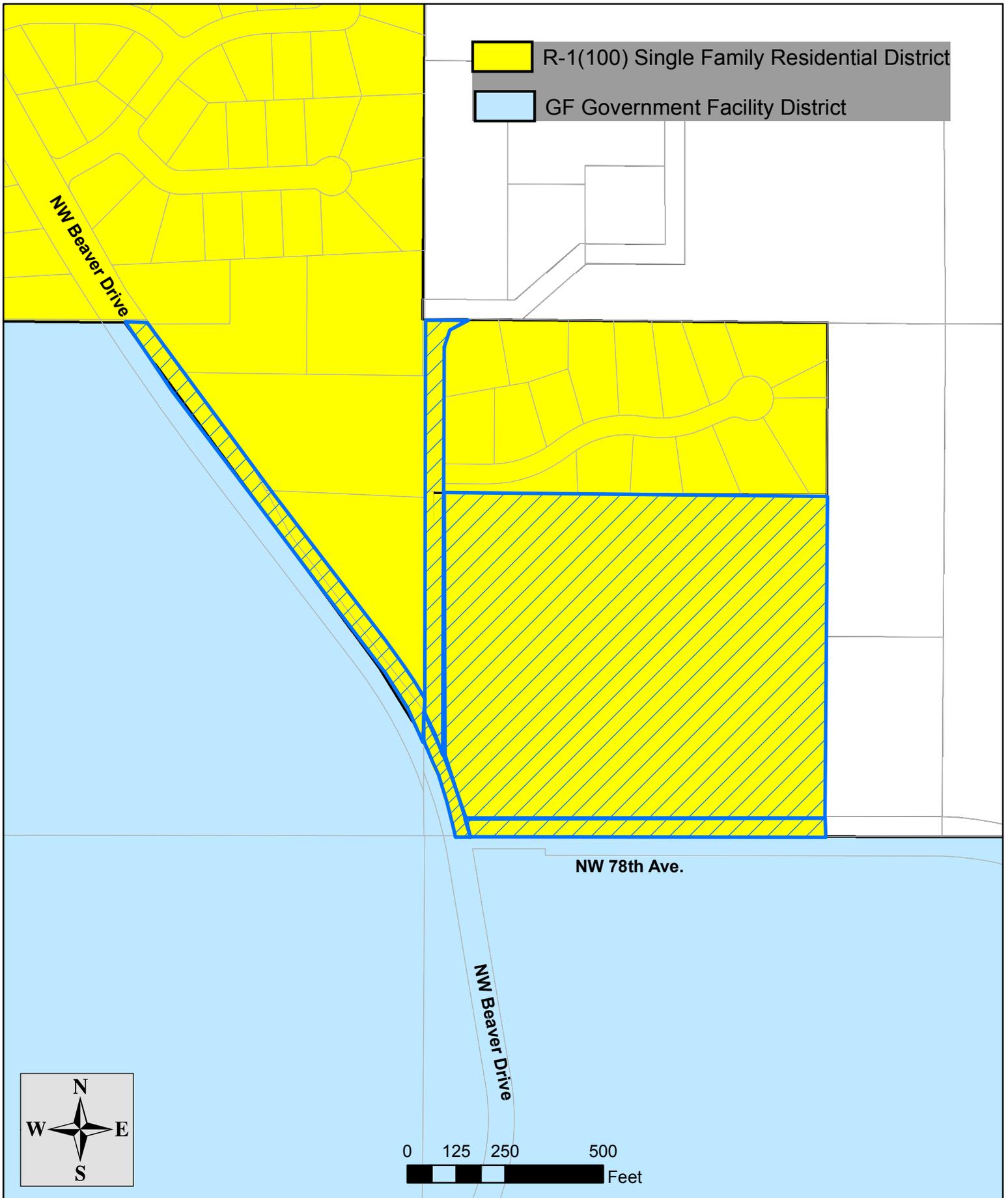


EXHIBIT G: Minks Monk Annexation Area Proposed Zoning



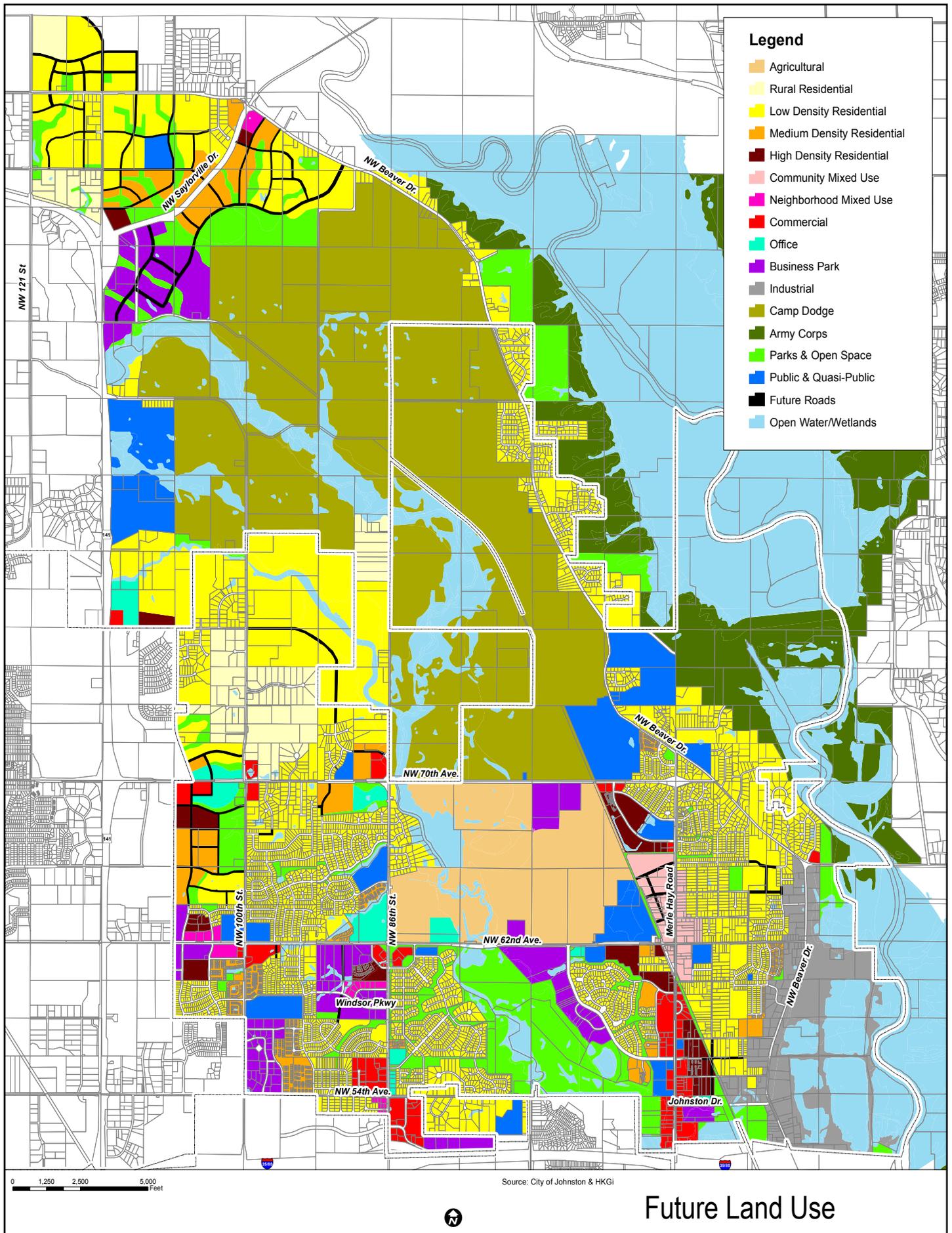


Figure 5.9 - 2030 Future Land Use Plan

March 22nd, 2016

**CITY OF JOHNSTON, IOWA;
CITY COUNCIL NOTICE OF ANNEXATION HEARING**

The Johnston Planning and Zoning Commission and City Council will hold Public Hearings to consider a voluntary annexation and designation of a zoning district for approximately 22.25 acres, currently within an unincorporated area of Polk County in Jefferson Township located north of NW 78th Avenue on the east of NW Beaver Drive. The legal description of the entire annexation area is attached as Exhibit "A."

Pursuant to Section 368 of the Code of Iowa, the City is including 3.81 acres of Polk County owned right-of-way in this annexation so as to avoid the creation of an unincorporated island and to create more uniform boundaries.

The Planning and Zoning Commission, which makes recommendations to the City Council, will conduct a public hearing regarding the proposed annexation and zoning designations as described below on Monday, April 11th, 2016. The City Council will conduct a public hearing regarding the annexation and zoning designation on Monday, May 2nd, 2016; following the public hearing the City Council can take action to approve the annexation and zoning district. Both meetings will begin at 7:00 p.m. in the Council Chambers of the Johnston City Hall, 6221 Merle Hay Road, Johnston, Iowa. An opportunity for public input and comments will be provided at both meetings.

Three maps are attached to further identify the annexation area; the first map identifies the entire annexation area showing the petitioned and right of way areas of the annexation (Exhibit "A"). The second map shows the relationship of the proposed annexation to the existing Johnston Corporate Limits (Exhibit "B"). At the time of annexation, a zoning district must be established for the properties within the annexation area. As identified on the enclosed map (Exhibit "G") the following zoning district is proposed for the annexation area:

- R-1(100) – Single Family Residential: Lot 4 Hughes Acres and all of the right-of-way is proposed to be zoned R-1(100) which allows single family uses on lots with a minimum frontage of 100 feet and minimum lot area of 15,000 square feet.

This notice of annexation and establishment of zoning is being distributed via regular USPS mail to all properties within 320 feet of the annexation area.

Persons seeking more information about the request may review the application at City Hall during workdays from 8:00 a.m. to 5:00 p.m., or contact the Zoning Administrator at 515-727-7775. Anyone wishing to comment on this request should attend these hearings or submit written comment to the Zoning Administrator, P.O. Box 410, City of Johnston 50131-0410.

167.04 SETBACK, BULK AND DENSITY REGULATIONS. The requirements as set forth in Table 167.04 shall be observed in the Agriculture, Conservation and Residential Districts.

Table 167.04 – Setback, Bulk and Density Standards by District							
	Maximum DU/AC	Maximum Building Height (in feet)	Minimum Lot Area (square feet)	Minimum Lot Width (feet)	Minimum Setback (in feet)		
					Front	Side/Sum	Rear
Single family detached							
A-R Agriculture Reserve	0.033	none	30 ac.	660	75	50/100	75
CD Conservation District	0.046	none	80,000	200	50	50/100	50
R-E	0.33	35	3 ac.	225	50	15/35	50
R-1(150)	0.875	35	40,000	150	40	12/30	50
R-1(100)	1.97	35	15,000	100	40	10/21	40
R-1(90)	2.60	35	12,500	87	35	9/19	35
R-1(75)	3.44	35	9,500	75	35	8/17	35
R-1(60), R-2	4.35	35	7,500	60	30	7/15	35
Single-family bi-attached							
R-1(75) (with special use permit)	5.4	35	16,000	100	35	10/20	35
R-2	7.0	35	12,500	100	30	10/20	35
R-3, R-4	7.0	35	12,500	100	50	10/20	35
Townhouses, Condominiums, Multiple Unit Dwellings*							
R-3	8.0	35	80,000	200	50	35/70	50
R-4	16.0	50	80,000	200	50	35/70	50
R-5	16.0	50	200,000	200	50	35/70	50

Table continued on following page.

* The bulk requirements are applicable to the development site. For multiple structures on a site, refer to the requirements in Section 167.05

Table 167.04 – Setback, Bulk and Density Standards by District							
	Maximum DU/AC	Maximum Building Height (in feet)	Minimum Lot Area (square feet)	Minimum Lot Width (feet)	Minimum Setback (in feet)		
					Front	Side/Sum	Rear
Other Uses *							
Mobile Home Park	8.0	50	200,000	50	50	35/70	50
Day Care Center	NA	35	40,000	200	50	25/50	50
Other Special Uses	NA	35	80,000	175	50	25/50	50
Nursing, Convalescent or Assisted Living	16 DU or 32 beds	50	80,000	200	50	25/50	50

* The bulk requirements are applicable to the development site. For multiple structures on a site, refer to the requirements in Section 167.05.