

GREEN MEADOWS NORTH OWNERS ASSOCIATION

Monthly Board Meeting Minutes

Johnston Public Library

March 21, 2023 6:30 p.m.

Board Members Present

Shannon Tuhn, President

Paul Wanderscheid, Secretary

Louis Galante, General Board Member

Chanell Abing, General Board Member

Eric Metzger, General Board Member

Absent Board Members:

Eric Biase, Treasurer

Management Company Present

Lisa Logsdon

Homeowner(s) Present

Dustin Creech

Sara Jaques

I. Call to order

Meeting was called to order by Shannon at 6:36 p.m.

II. Financial Review

Presented by Lisa in Eric's absence.

Current assets \$205,070.14 spread among 4 CDs, reserved savings and checking.

\$7,604.50 receivables.

Eric provided some feedback in advance indicating that although the assets appear a little high but we are entering months with higher costs to the HOA due to mowing, landscaping, etc. So the total assets will come down.

Carla Osborn called Lisa about dues. They are new to neighborhood and misplaced HOA dues letter. She was worried about late fees being assessed. She indicated she had found the HOA dues letter and is sending check and no late fee has been assessed.

Motion to approve financials made by Shannon, 2nd by Louis. All were in favor

III. Review and approval of January Meeting Minutes

Motion to approve by Louis. 2nd by Shannon. All were in favor. Motion approved.

IV. New Business

Social committee/GMN Food Truck update.

Events will be on Beaver Creek Green Space (along Lyndhurst Dr) — will need to verify green space is available.

Invite GMN Townhomes as well (?)

Friday, June 16

Kulinary Khaos 5:30 - 7:30pm

Friday, July 21st

Nina's Tacos 5:30 - 7:30

Saturday, August 26th 5pm

Neighborhood Block Party with Food Trucks

Off The Griddle

Waived Booking Fee,

Average order is \$12 - \$15

Minimum is \$750 (50 - 65 orders)

Okay to add a dessert truck — would prefer if no other entree trucks were added.

Paul suggested maybe HOA purchase and hand out popsicles or something like that in lieu of dessert truck.

Friday, September 8th

What the Fries DSM 5:30 - 7:30

\$750 minimum (each order of fries is \$10; dessert fries are \$5)

Other trucks contacted:

Hot off the Presses — waiting to hear back.

Dough Crazy (Aug 26th Block Party) — wanted to advertise the event as open to the public. I wasn't sure if we'd want the block party open to everyone. If a private neighborhood event, it would be a \$250 hourly charge, plus the cost of scoops (\$5 single/\$8 double)

Banh ME - automated response/nothing further

Top Bun - automated response/submitted an event request on their link and never heard back
Charlotte's Kitchen — contacted the restaurant, but not their food truck. They'd probably be a good back up

The Creamery (JoeAsh Fandel) - in the neighborhood; waiting to hear back.

Discussed egg hunt plans and proposed budget

	A	B	C	D
1	Item	Quantity	Price	Total
2	Eggs (48 count)	11	\$2.12	\$23.32
3	Tattoos (72 count)	2	\$7.27	\$14.54
4	Egg Filler (250 count)	2	\$37.43	\$74.86
5	Candy (about 500)			
6	Traffic cones (12)	1	\$120.22	\$120.22
7	6 ft table	2		
8	Pop-up tent	2		
9	Round storage tubs	2	\$18.18	\$36.36
10	Megaphone	1	\$0.00	\$0.00
11				
12				\$269.30

Based on feedback from residents, the committee is doubling the number of eggs and splitting kids in to three age groups. So we are buying more plastic eggs as well as cones to indicate sections

Fairway donated candy last year. If they do not do that this year or don't donate enough there may be a candy cost as well.

The egg filler items on budget are small toys that will be in some eggs instead of candy.

The cones will be used to identify the egg hunt areas for each age. But discussed that there may need to do more than cones to mark off areas such as streamers along lines between cones, etc. So there may be additional costs for those items
Also, many of the items we are purchasing can/will be used for other HOA events and in subsequent years. Shannon will be storing the stuff for now.

Eric made motion to approve spending up to \$500 for supplies. Louse 2nd. All were in favor.

Discussed the request made by Brio to rezone their property south of 70th street.
See attached rezoning request below.

Dustin came to Board meeting to try to drum up support against rezoning and to get message to HOA residents.

HOA Board is not taking an official stance on this issue but is passing information on as courtesy to HOA residents so they are aware.

Dustin and other residents attended the Planning and Zoning meeting where this was approved. Dustin and Louis discussed the impact this rezoning could have on property values, traffic and parking especially for residents just south of and west of the area. They discussed the efforts he and some other residents have been taking. This included going door to door to discuss this with residents and make them aware and asking them to sign a petition against the rezoning that they plan to submit to the City Council. They also have a petition on change.org and will correlate the signatures between the two sources to make sure they are legit and no duplicates.

Matthew Lepke, another HOA resident, was unable to attend the Board meeting but provided the content below of a letter he has or will be submitting to the city.

Good evening. I'm Matthew Lepke. By way of introduction, my master's degree is in urban planning, and I've worked for over a decade as a public-sector planner in multiple cities; these ranged in size from 11,000 to a half million people. I've administered good codes and poor ones, and I've written and amended city code sections and long-range plans. I respect staff's effort and time on this; I've sat in a lot of meetings like this. While working for the City of Colorado Springs, my fellow senior planner wrote the city's ADU ordinance. That city had a housing crunch; I've not seen signs that Johnston has any such issue.

Put simply, under no current circumstances should ADUs or two-family dwellings be considered in any of the R-1 zone districts, particularly when the special use process is removed. [Note to readers: these are currently allowed in R-1 (75) and some other zones via the special use permit process.] That is a vitally important safeguard for all residents. Property owners in these R-1 districts have made significant personal investments in their properties with the general understanding that their neighbors' properties will only contain one dwelling unit. The ability to construct another household—and that's what an ADU amounts to—on a single-family lot does not preserve the reasonable expectation of residents for single-family lots in single-family zone districts to be maintained as, logically, one-dwelling districts.

In the proposed code amendment, duplexes and ADUs are permitted with site plan review in multiple R-1 zone districts. As you heard earlier, this essentially makes them a by-right use, which is a mistake that must be corrected. We need to ask: what are the specific standards to which such uses will be held and assessed in reviewing applications? Are they the criteria found in 190.03 5. C. 3.? Those standards are not specific enough as to provide adequate safeguards to adjacent

property owners, and appear rather vague and subjective. As you heard David mention, regulating the number of residents and cars is very difficult; let's not put city staff in a bad spot. At minimum, the special use process must be maintained.

It doesn't make sense that a property with a four- or five-bedroom house may then put a 900-square foot apartment in the back yard for four more unrelated people to rent it. The proposed regulations would allow this on many city R-1 lots; the code would allow up to FOUR additional people to live in a separate dwelling on lots that were not platted for such a purpose. Additionally, should ADUs and duplexes pop up in single-family neighborhoods, infrastructure demands, such as sewer and water, would greatly increase; were our R-1 neighborhoods engineered to handle such use? The parking requirements listed in the ADU section of the proposed code are also inadequate if two, three, or four adults live in an ADU. If an ADU may allow up to four people, why is only one off-street parking space required, when a standard one- or two-unit dwelling is required to have at least two off-street spaces? Where would people park in the winter, when plows need to clear the streets?

One of the things I mentioned at the Planning Commission meeting is that people can turn ADUs into rentals; there's no prohibition on this. In multiple cities where I've lived, people didn't have relatives living in ADUs, they simply rented them like apartments. Let's not make that mistake here.

*The city is considering a fundamental change to the very concept of single-family residential zoning; one that is incompatible with the built environment in most R-1 zoned neighborhoods. Removing the special use permit review process is a concerning regression, not progress. Now is the time, while considering a code amendment, to remove the possibility of having more two-family dwellings or ADUs in *any* R-1 zones.*

I've raised questions of importance, and they should be fully addressed before Council considers a final draft of the zoning updates, so that staff, decision makers, and the public are properly apprised, and may consider the permutations and consequences. There are several good changes in the proposed code. However, please do not allow any duplexes or ADUs in any R-1 zones, under any circumstances. Doing so creates uncertainty among citizens, is unnecessary in a suburban setting, and is incompatible with the context of Johnston's R-1-zoned neighborhoods.

V. Old Business

VI. Open Forum

Board noted that this will be Chanell's last meeting as HOA Board member as she is dropping off due to personal/business commitments. The Board thanks her for her service.

Next in person HOA Board meeting is scheduled for May 16th at 6:30 p.m. in the Archive Room of the Johnston Library. The Archive Room is the meeting room inside the library on the north wall with the glass walls.

VII. Adjournment

Motion to adjourn by Louis. 2nd by Eric. All were in favor.

Motion approved.

Meeting adjourned at 7:50 pm.



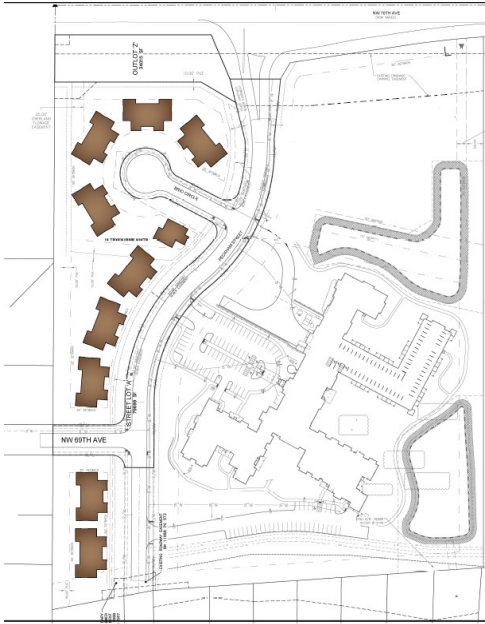
Planning & Zoning Commission

COMMUNITY DEVELOPMENT DEPARTMENT
February 27, 2023 Meeting

SUBJECT: Consider Recommending Approval of an Official Zoning Map Amendment for Approximately 5.87 Acres Located South of NW 70th Avenue and West of Peckham Drive From R-1(75), Single-Family Residential District to R-2, One-And-Two-Family Residential District.

SYNOPSIS:

Wesley Development Services LLC/Brio of Johnston LLC owns twelve lots (Lots 1-12 of Brio of Johnston Plat 2) on the west side of Peckham street adjacent to the Brio of Johnston Senior Living Community. The lots were originally intended to be developed as single-story single-family homes and incorporated into their “continuum of care” living model. The property owner has requested a rezoning of Lots 1-12 of Brio of Johnston Plat 2 to R-2, One-And-Two-Family Residential District to facilitate construction of single-family bi-attached housing units in lieu of single-family detached housing (see concept below):



RECOMMENDATION:

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

The Planning & Zoning Commission recommends approval of PZ Case No. 23-03; an amendment to the Official Zoning Map for approximately 5.87 acres from R-1(75), Single-Family Residential District to R-2, One-And-Two-Family Residential District for Lots 1-12 of Brio of Johnston Plat 2.

BACKGROUND &
PRIOR APPROVALS:

This property was zoned A-R at the time it was annexed into the City of Johnston.

On September 19, 2016 the Johnston City Council approved Resolution 16-195 approving a development agreement with Simpson Enterprises, Inc. to restrict the allowed land uses on C-2 property immediately east of Peckham Street. Said development agreement prohibited the following uses: Bars/Taverns, Billiard Parlors and Pool Halls, Hotel/Motel, Convenience Store, Gas Station, Restaurants with Drive-in Facilitie (unless otherwise approved by the City Council as part of the site plan approval process), Temporary or Seasonal amusement enterprises, including carnivals and circuses, Commercial sport or recreational enterprises, including non-profit amphitheaters, convention halls, and auditoriums.

On October 17, 2016 the Johnston City Council passed Ordinance 950 approving an Official Zoning Map Amendment for the 63-acres Simpson Property from A-R Agricultural Reserve District to R-1(75) Single-Family Residential District, C-2 Community Retail Commercial District, PC Professional Commerce Park District, and R-3 Medium Density Multiple Family Residential District.

On November 21st, 2016, The Johnston City Council approved Resolution 16-251 Approving the Preliminary and Final Plat for Northwoods Crossing, a minor subdivision of approximately 63.39 acres west of NW 86th Street and south of NW 70th Avenue (PZ Case 16-25). This action created 22.02-acre Outlot 'A' and 38.27-acre Outlot 'B'. Outlot 'A' contains the subject property.

On January 17th, 2017, The Johnston City Council approved resolution 17-21 approving of the Preliminary Plat for The Brio of Johnston, subdividing 22.02-Acre Outlot 'A' of Northwoods Crossing into one lot of 3.96-acres (zoned C-2, Community Retail Commercial District), one Lot of 10.02 acres (zoned R-3, Medium Density Residential District for development of a skilled nursing and memory care facility, assisted living apartments, and independent living apartments) and twelve single-family residential lots (zoned R-1(75)).

COMPREHENSIVE
PLAN:

The subject property is shown on the Johnston Thrive 2040 Future Land Use Plan as Suburban Residential defined as: *"...housing with densities that generally range from two to four units per acre. Neighborhood areas classified as SR will typically be predominately single-family detached units on lots generally ranging from 0.25 acres to 0.5 acres in size. SR areas includes the potential for some single-family bi-attached units and other lower intensity attached housing options."*

A concept plan submitted by the applicant depicts 18 townhome units and one single-family dwelling over 5.87 acres for a density of 3.24 units per

acre. The proposed rezoning is in compliance with the Johnston Thrive 2040 Comprehensive Plan.

EXISTING ZONING:

The subject property is zoned R-1(75), Single-Family Residential District which allows single-family residential uses and single-family bi-attached uses by issuance of a Special Use Permit. The following bulk regulations apply to the district:

R-1(75)	U/Acre	Max Building Height	Min Lot Area	Min Lot Width	Front Yd Setback	Side Yd Setback	Rear Yd Setback
Single Family	3.44	35'	9,500 sf	75'	35'	8'/17'	35'
Bi-Attached (w/spec use permit)	5.4	35'	16,000 sf	100'	35'	10'/20'	35'

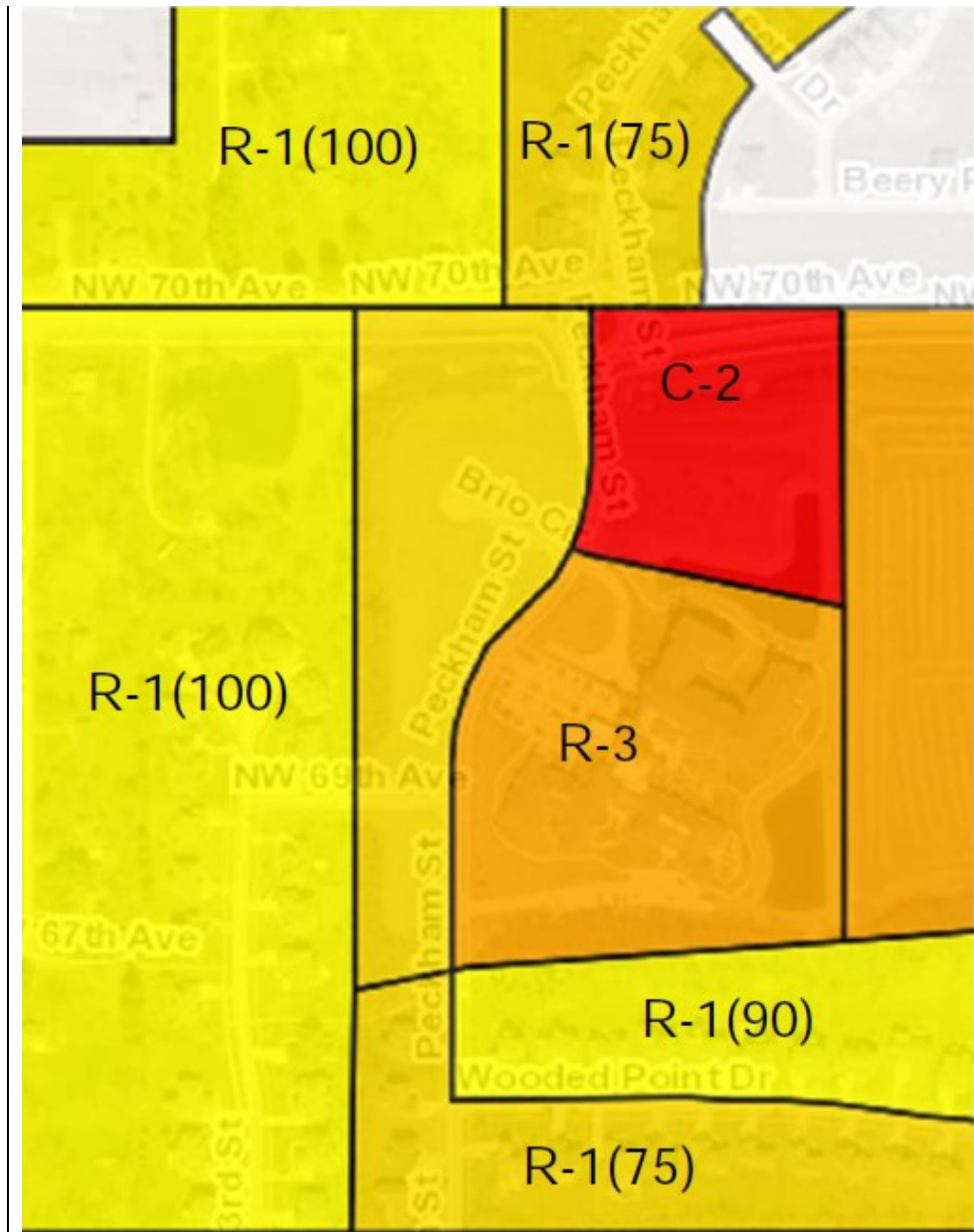
PROPOSED ZONING:

As indicated above, the R-1(75) district allows bi-attached housing by issuance of a Special Use Permit. However, the property owner has requested a rezoning to R-2, One-and-Two-Family Residential District which allows both single-family detached dwellings and single-family bi-attached uses **“by right”** (no special use permit required). The following bulk regulations apply:

R-2	U/Acre	Max Building Height	Min Lot Area	Min Lot Width	Front Yd Setback	Side Yd Setback	Rear Yd Setback
Single Family	4.35	35'	7,500 sf	60'	30'	7'/15'	35'
Bi-Attached	7.0	35'	12,500 sf	100'	30'	10'/20'	35'

ADJACENT LAND USES:

Adjacent land uses include single family residential in the R-1(100) district to the west, uses of the R-1(100) district and R-1(75) to the north opposite NW 70th Avenue, and uses of the C-2, Community Retail Commercial District and R-3, Medium Density Residential to the east opposite Peckham Street. R(75) and R-1(90) uses abut the property to the south and southeast.



**NORTHWEST AREA
WATER
CONNECTION
DISTRICT:**

The subject property is within the Northwest Area Water District. Payment of district connection fees in the amount of \$1,750 per acre were paid prior to City Council approval of the Final Plat for Brio of Johnston Plat 2.

**NORTHWEST AREA
SANITARY SEWER
CONNECTION
DISTRICT:**

This property is within the Northwest Area Sanitary Sewer Connection District. Payment of the Northwest Area Sanitary Sewer Connection District Fee of \$3,200 per acre was paid prior to City Council approval of the Final Plat for Brio of Johnston Plat 2.

**PUBLIC NOTICE
AND ADJACENT
NEIGHBOR
COMMENTS:**

Signs advertising the public hearing have been placed along NW 70th Avenue and Peckham Street. A notice has been sent to all properties within 320 feet of the rezoning area, and staff has posted a proposed development notice to the city's website.

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: 01/04/2023

We, the owners of property located at 5508 NW 88th Street, Johnston, IA 50131
respectfully petition you to amend the Johnston Zoning Ordinance by rezoning the following legally
described property:

Lots 1-12, Brio of Johnston Plat 2, an official plat in the City of Johnston,
Polk County, Iowa and containing 5.07 acres.

from the R-1 (75) District to the R-2 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 of Petitioner

5508 NW 88th Street, Johnston, IA 50131
Address

(515) 271-6789
Phone Number

Attachments

1 - Rezoning Exhibit

FOR OFFICE USE ONLY

Petition Received By: _____ Date: _____




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

PETITION FOR CHANGE IN ZONING CLASSIFICATION

Legal Description of Property: Lots 1-12, Brio of Johnston Plat 2, an official plat in the
City of Johnston, Polk County, Iowa and containing 5.07 acres.

from the R-1 (75) District to the R-2 District.
 (Present Zoning) (Proposed Zoning)

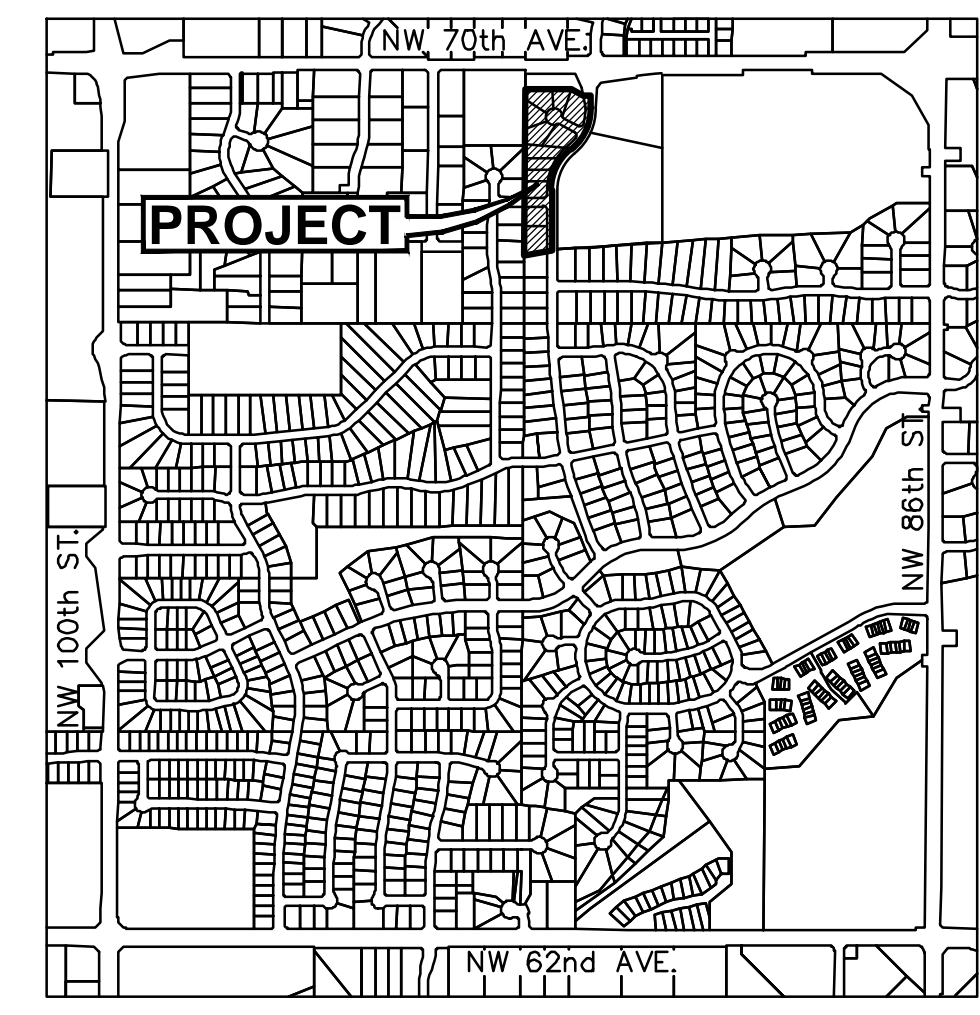
Property Owners within 250 Feet of the Area Petitioned for Rezoning:

Date	Printed Name	Address	Signature
1/24	Tameera Costin	9139 Wooded Point Dr	
1/24	JoAnn Manning	6821 N.W. 93 rd St.	
1/24	Allen Hentscher	6904 NW 93 rd St	

BRIO OF JOHNSTON PLAT 2

JOHNSTON, IOWA

VICINITY MAP
NOT TO SCALE



ENGINEER
CIVIL DESIGN ADVANTAGE, LLC
CONTACT: JEFF NESVAK
4121 NW URBANDALE DRIVE
URBANDALE, IOWA 50322
PH. (515) 369-4400
FX. (515) 369-4410

SURVEYOR
CIVIL DESIGN ADVANTAGE, LLC
CONTACT: MIKE BROONER
4121 NW URBANDALE DRIVE
URBANDALE, IOWA 50322
PH. (515) 369-4400
FX. (515) 369-4410

OWNER OF RECORD
BRIO OF JOHNSTON, LLC
5508 NW 88TH STREET
JOHNSTON, IOWA 50131
515-271-6789

APPLICANT
BRIO OF JOHNSTON, LLC
5508 NW 88TH STREET
JOHNSTON, IOWA 50131
515-271-6789

PROPOSED USES
SINGLE FAMILY TOWNHOM RESIDENTIAL

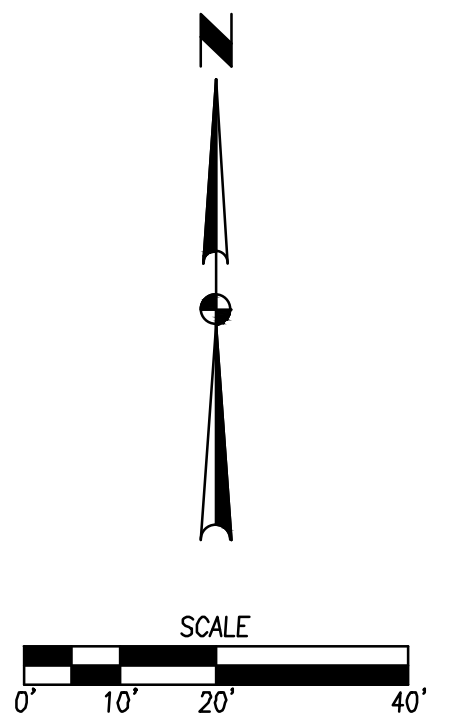
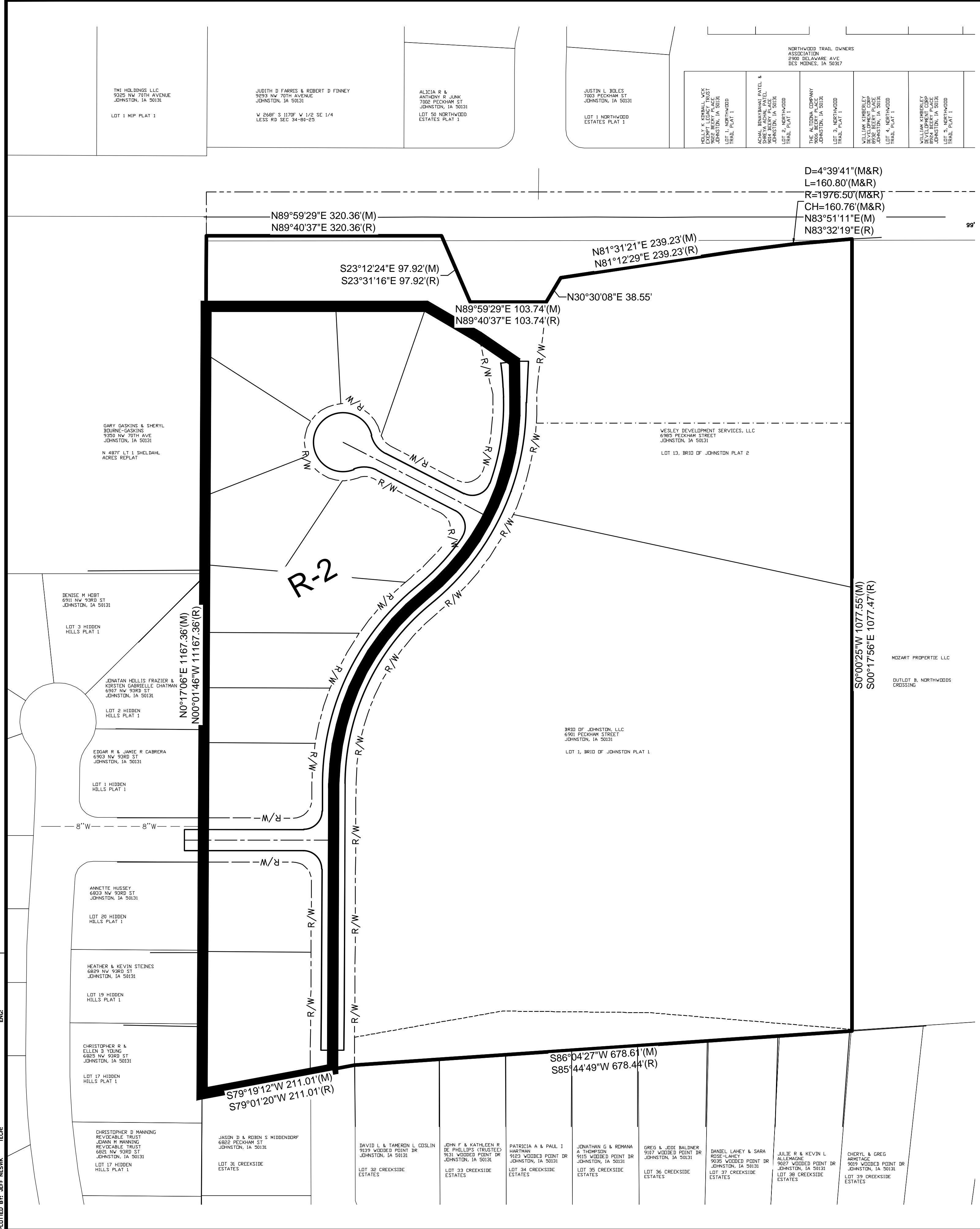
LEGAL DESCRIPTION
LOTS 1-12, BRIO OF JOHNSTON PLAT 2, AN OFFICIAL PLAT IN THE CITY OF JOHNSTON, POLK COUNTY, IOWA
CONTAINING 5.07 ACRES

ZONING
R-2 LOW DENSITY MIXED RESIDENTIAL DISTRICT

SETBACK AND BULK DENSITY REGULATIONS

Zoning District	Use	Lot Width Minimum ¹ (feet) [for two units on one lot]	Lot Area Minimum ¹ (sq. ft.) [for two units on one lot]
R-2	Single Unit	50	6,300
	2 Unit (Duplex Vertical)	50	6,300
	2 Unit (Duplex Horizontal)	80	10,000
	2 Unit Attached (Twinhome)	40 [80]	5,000 [10,000]
	3 or 4 Unit (Tri/Quad)	100	12,500
	Small Townhouse, individual middle lot	20	2,500
	Small Townhouse, individual end lot	30	3,750

Residential District	Use	Front Yard Setback Minimum (feet)	Rear Yard Setback Minimum (feet)	Side Interior Yard Setback Minimum ¹ (feet)	Side Corner Yard Setback Minimum ¹ (feet)	Building Height Minimum (feet)
R-2	Single Unit	30	30	7	22	35
	2 Unit (Duplex)			7	22	
	2 Unit Attached (Twinhome)			7	22	
	3 or 4 Unit (Tri/Quad)	30 ft. public street	10	22		
	Small Townhouse, middle lot	20 ft. private road	0	N/A		
	Small Townhouse, end lot		10 one side	22		



COMMENTS:
DATE: 1/4/2023 10:38 AM
DRAWN BY: JEFF NESVAK
CHECKED BY: MIKE BROONER
FILE: H:\2022\2200913\2200913-REZONE.DWG
PLOT: 1/4/2023 10:38 AM
SCALE: 1"=40'

DATE: 01/04/2023

REVISIONS:

PREPARED: PM: GR

4121 NW URBANDALE DRIVE
URBANDALE, IA 50322
PHONE: (515) 369-4400

ENGINEER: JN

BRIO OF JOHNSTON PLAT 2
REZONING EXHIBIT

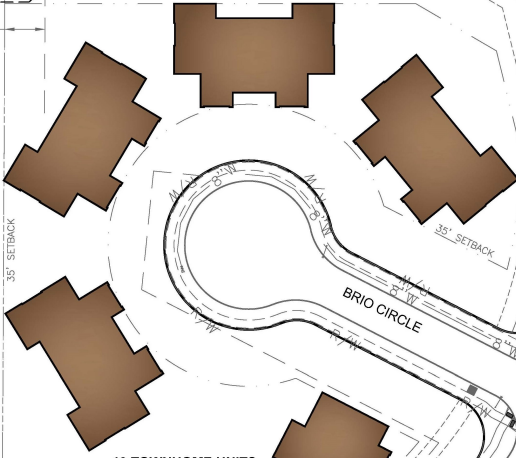
JOHNSTON, IOWA

1
2209.613

OUTLOT 'Z'
34015 SF

10.00' PUE

25.00' OVERLAND FLOWAGE EASEMENT



19 TOWNHOME UNITS

BRIO CIRCLE

PECKHAM STREET

30' SETBACK
EXISTING DRAINAGE CHANNEL EASEMENT

10.00' PUE

10.00' PUE

35' SETBACK

35' SETBACK

STREET LOT 'A'
79699 SF

NW 69TH AVE

35' SETBACK

35' SETBACK

10.00' PUE

EXISTING ROADWAY EASEMENT
BK 11988 PG 573

FND 5/8" REBAR
W/CAP #13156

20.00' STORM SEWER EASEMENT

35.00'

90' BUFFER
10' SETBACK

SEWER EASEMENT
BK 985 PG 207