



PLANNING & ZONING COMMISSION

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

Minutes
 Regular Meeting: Monday, September 29, 2008

AGENDA:

1. Call to Order

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

2. Roll Call

	Robertson	Wiskirchen	Temple	Moran	Schillinger	Petersma	Johnson
Present	X	X	X	X		X	X
Absent					X		

City Staff Present: Aaron Wolfe, Deb Schiel-Larson, Steven Witmer

3. Approval of Agenda

Robertson called for a vote to approve the agenda.

Voice Vote:

	Robertson	Wiskirchen	Temple	Moran	Schillinger	Petersma	Johnson
Aye	X	X	X	X		X	X
Nay							
Abstain							

4. Approval of Meeting Minutes: Regular meeting of August 25, 2008.

Motion by Moran seconded by Petersma to approve the minutes of August 25, 2008.

Roll Call Vote:

	Robertson	Wiskirchen	Temple	Moran	Schillinger	Petersma	Johnson
Aye	X	X	X	X		X	X
Nay							
Abstain							

5. PZ Case No. 08-33; Generation Next Daycare Expansion, 6109 Merle Hay Road; The applicant, Generation Next Daycare, is proposing to construct a 2,839 square foot addition to the south side of the existing structure. The subject property is zoned ROC-1 Mixed Use and is within the Merle Hay Road Overlay Zoning District. The subject property is located east of Merle Hay Road and north of NW 60th Avenue.

Deb Schiel-Larson presented the staff report.

Petersma asked if the nuisance ordinance deals with what the adjacent uses are. Schiel-Larson explained the nuisance ordinance and noted that the lighting plan does have a lot of variance in light levels due to the fact that they are replacing existing light with other fixtures with different lighting characteristics. City staff and the applicant have discussed this issue and the applicant understands the limitations.

Robertson asked about landscaping. Schiel-Larson responded that this would be also recommending approval of the amended landscape plan.

Todd Buchanan, Buchanan Builders, explained that he is the general contractor for the project. He intends to try to install the buffer landscaping yet this fall. There has been discussion with city staff about the wall packs and they have worked back and forth for a solution. He has tried to find a wall pack that shines downward and is working with an electrician to find a wall pack that will work better for the conditions.

Schiel-Larson explained the function of cut-off lighting fixtures.

Petersma asked about using exterior conduit to relocate the wall packs. Moran commented that using conduit on the side of the building may negatively affect the appearance of the building.

Robertson opened the meeting to public comment at 7:21 p.m. Receiving no public comment on this project, Robertson closed the meeting to public comment at at 7:22 p.m.

Motion by Petersma seconded by Wiskirchen to approve PZ Case No. 08-33; Generation Next Daycare Expansion, 6109 Merle Hay Road, with the following conditions:

1. The project shall conform to the requirements, standards and regulations of the City of Johnston.
2. No later than October 31, 2008, pavement markings on the shared access drive from Merle Hay Road shall be repaired so they are legible for all entering and exiting traffic. Pavement markings that are no longer legible on the Generation Next site shall be repaired as part of this building expansion project.
3. Existing wall-mounted floodlights installed at Generation Next Daycare were not reviewed or approved; floodlights are not permitted (Chapter 50, Nuisance Abatement Procedure, Section 50.02, Paragraph 19, Lighting). As documented in letters dated September 11 and September 19, 2008, the applicant has made the decision to re-use the existing mounting locations on the building. In addition, the applicant proposes to resolve the situation with a new lighting design and new fixtures which will result in dark areas on the playground. Although the proposed Hubbell Laredo LLC Series is a cut-off fixture at installation and is acceptable in this regard, it can be modified on-site to be a forward-throw floodlight. The applicant stated in writing that the fixture will not be modified. Future proposed site lighting changes (if the applicant feels they are needed) shall be submitted for review by city staff prior to changes on the site.
4. The amended landscape plan is approved as submitted.

Prior to Issuance of a Building Permit:

5. The applicant shall provide written evidence that construction and temporary parking proposed on the adjacent property has been reviewed and approved by the adjacent property owner.
6. An executed Grading Permit will be required by the City of Johnston.
7. In compliance with ordinance requirements, the applicant shall provide written evidence from the Iowa Department of Natural regarding the status of NPDES General Permit no. 2 (Iowa DNR reference# 13291-13181).
8. In accordance with General Permit no. 2, a Storm Water Pollution Prevention Plan (SWPPP) shall be submitted by the applicant and reviewed by the City of Johnston. The site must be in compliance with Iowa DNR requirements prior to issuance of any permits by the City.

Prior to issuance of a Final Certificate of Occupancy:

9. The storm sewer intake at the shared property line with Sun Pharmacy shall be repaired as necessary so that it is functional. Existing problems with drainage to this intake are a result of the installation of new curb by Generation Next Daycare in 2007 as part of their original construction project.
10. To be provided on the site and illustrated on the Site Plans: a minimum of three handicapped parking spaces are required. The striped area adjacent to these spaces shall be noted "no parking" on the pavement.
11. The Site Plans shall include a note which documents the temporary parking spaces on Lot 2, and the fact that when adjacent development is proposed, these parking spaces will be immediately relocated on the Generation Next Daycare property.
12. The Site Plans shall include a note which documents: (1) the location of the fire sprinkler connection for the new addition, or (2) if this will be an expansion of the existing fire sprinkler system.
13. As a requirement of the Brite Beginnings Daycare project (now known as Generation Next Daycare), the City Council required easements to be updated and the property owners complied. This information must be updated and noted on the proposed Site Plans.

Roll Call Vote:

	Robertson	Wiskirchen	Temple	Moran	Schillinger	Petersma	Johnson
Aye	X	X	X	X		X	X
Nay							
Abstain							

6. **PZ Case No. 08-37; The Concrete Company, 5128 NW Beaver Drive;** The applicant, DKK Investments, LLC, is proposing to construct a 5,000 square foot warehouse building. The subject property is located approximately 500 feet west of NW Beaver Drive, is adjacent to Beaverdale Little League and is zoned M-1 Light Industrial.

Aaron Wolfe presented the staff report

Robertson asked about the existing tenant. Wolfe responded that DM Steel Fence is currently leasing the property and the applicant is requesting that the paving be deferred until the lease expires.

Robertson asked if there be equipment parked outside the screening area. Wolfe responded that he believes the intention is to store the equipment on the paved area. The screening requirements have been met.

Moran asked how wide the private drive is. Robertson noted that it is twenty-five feet.

Mike Klonglan, DKK Investments, explained that the lease held by Des Moines Steel Fence expires on January 1st, 2009. Regardless of whether a new lease is signed or not at that time the paving would be installed.

Klongman explained that he has no heavy equipment. He has a concrete finishing business and his equipment consists mainly of things like pickup trucks, trailers and skid loaders, he has no large trucks or heavy equipment. He has a good relationship with the Little League.

Moran asked about the drainage issue. Wolfe answered that it will be up to the applicant to see that the improvements are done.

Robertson asked who is responsible to enforce the improvements of the drainage. Wolfe replied that these deficiencies will need to be remedied in order to get building permit approval.

Randy Downs, Snyder & Associates, noted that the private access used to be a county road. There is positive drainage flow now and the positive drainage will be maintained.

Robertson asked if the city attorney will review the easement. Wolfe agreed that the city attorney can be asked to review it.

Robertson asked about equipment screening. Klonglan explained that during the summer most equipment will be out on job sites and during the winter most equipment will be kept in the building. Some trailers may be kept outside.

Moran asked about deferring the landscaping. Wolfe responded that everything on the west edge of storage area would be deferred until the paving is put in.

Johnson inquired who will maintain the culvert if it is damaged again in the future. Wolfe responded that it will depend on the easement requirements, unless otherwise addressed in the easement the responsibility will fall on the Little League as the owner.

Motion by Moran seconded by Johnson to approve PZ Case No. 08-37; The Concrete Company, 5128 NW Beaver Drive, with the following conditions:

1. The project shall conform to the requirements, standards and regulations of the City of Johnston.
2. A Storm Water Pollution Prevention Plan and Evidence of a NPDES Permit from the Iowa DNR shall be provided prior to any ground disturbing activity on the site.
3. Paving of the proposed outdoor storage area and installation of the associated landscape screening shown on the site plan as phase two, shall be deferred until the applicant's current lease for material storage to Des Moines Steel Fence has expired, or a period of time not to exceed three years.

The site plans must be amended and the following items shall be completed prior to the issuance of a building permit.

4. Indicate an 8" main in lieu of 6" from the connection on the south side of the private drive to the on-site hydrant.

5. Applicant must provide photometric layout and manufacturer's specifications for proposed lighting to insure proposed lighting meets City of Johnston guidelines for site illumination as established in Resolution No. 99-56.
6. A KNOX box is required at the gate near NW Beaver Drive. Indicate the KNOX box location on the site plan.
7. The site plans must state the site's relationship to the 100-year floodplain, and illustrate the Floodway Fringe Overlay District.
8. Address off-site issues that will impede function of site drainage to include:
 - Insure topography of drainage ditch adjacent to the property and north of the private drive will allow water to flow westerly to collection pipe at southwest corner of site.
 - Insure drain pipe restriction on south side of private drive is remedied to allow proper function of the drainage pipe.
9. The site plan must be amended to include general notes regarding a routine maintenance program for the orifice plat in the storm water detention outlet.
10. The existing ingress-egress easement must be updated to allow public access and establish responsibilities for ongoing maintenance.
11. Drainage calculations must be revised to satisfy concerns expressed by Bob Veenstra in his letter dated 9/19/08, item #13 (to achieve an overall release rate from the site that does not exceed the pre-developed 5 year condition by combining the 100 year release rate from the non-detained areas with the reduced release rate from the detention basin).

Roll Call Vote:

	Robertson	Wiskirchen	Temple	Moran	Schillinger	Petersma	Johnson
Aye	X	X	X	X		X	X
Nay							
Abstain							

7. Other Business

- **Update on Watershed Assessment**

Deb Schiel-Larson updated the Commission on the Watershed Assessment.

Wolfe updated the Commission future projects.

8. Adjournment.

Robertson adjourned the meeting at 7:53 p.m.

Dick Robertson, Chairman

David Wilwerding, Secretary