



PLANNING & ZONING COMMISSION

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

Minutes
 Regular Meeting: Monday, June 9th, 2008

AGENDA:

1. Call to Order

Robertson called the meeting to order at 7:01 p.m.

2. Roll Call

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

City Staff Present: David Wilwerding, Deb Schiel-Larson, Aaron Wolfe, Ashley Moncado, Steven Witmer

3. Approval of Agenda

Motion by Petersma to approve the agenda.

Voice Vote:

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

4. Approval of Meeting Minutes: Regular meeting of May 27th, 2008.

Motion by Petersma to approve the minutes of the regular meeting of May 27th, 2008.

Roll Call Vote:

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

5. PZ Case No. 08-17; Tropical Sno Site Plan, 6125 Merle Hay Road; The applicant, Brad Smith, is proposing to locate a Tropical Sno facility at the subject property on a seasonal basis (facility to be removed from premises during off-season months). The subject property is zoned ROC-2 Mixed Use Center and is located east of Merle Hay Road approximately 400 feet south of NW 62nd Avenue (former Holub Gardens location)

Deb Schiel-Larson presented the staff report.

Robertson asked about hours of operation. Brad Smith, 7421 Hickory Lane, Urbandale, advised that the operating hours from 1 p.m. to 10 p.m. He intends to weed and maintain the grounds to improve the site appearance.

Motion by Schillinger seconded by Robertson to approve PZ Case No. 08-17; Tropical Sno Site Plan, 6125 Merle Hay Road with the following conditions:

1. The project shall be in conformance and in accordance with the requirements, standards and regulations of the City of Johnston, and any other requirement of state or federal law or administrative rule.
2. Temporary site lighting shall be reviewed and approved by city staff prior to installation.
3. A Zoning Certificate will be required (and would be issued by city staff to the applicant if this request is approved).
4. The approved duration of the temporary use will be documented on the Zoning Certificate (the applicant is proposing June – November, 2008).

Roll Call Vote:

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

6. PZ Case No. 08-15; Silver Birch Park Rezoning; The applicants, Bill Poston and Don Beal, (Manager, Waterford Townhome Association), are requesting to rezone approximately 3.1 acres from R-1(150) Single Family Residential and R-3 Multifamily Residential to R-1(75) Single Family Residential. The subject property is located north of NW 62nd Avenue, south of Huntington Circle and west of Waterford Townhomes.

Moran arrived at 7:10 p.m.

Deb Schiel-Larson presented the staff report.

Temple asked why the Waterford Townhomes piece is included in the rezoning. Schiel-Larson responded that it was to square up the district lines and to avoid an unusual shape on the zoning map.

Robertson opened the meeting to public comment at 7:12 p.m.

Yimin Xu, 9308 Huntington Circle, explained that Dr. Poston purchased the lot about 3 years ago. His concern is to maintain a buffer between the Huntington lots and the new lots. He has talked with the applicant and the applicant has agreed to maintain at least a fifteen foot buffer.

Annie Li, 9312 Huntington Circle, expressed concern about the use of the proposed accessory structure and also expressed a desire that the new lots have the same requirements and covenants as in current Huntington neighborhood.

Robertson closed the public hearing at 7:16 p.m.

Brett Johnson, CEC, 2400 86th Street, discussed the existing trees. They have no problem preserving trees, but wish to reserve the right to remove undesirable species or damaged trees.

Johnson explained that due to the site topography, the accessory structure would be embedded in the slope and only about six feet will be above the existing ground level at the north. Most of the building will not be visible.

Temple asked about the double frontage lot. Johnson identified the location of the lot on the concept plan. This would be used to store his motor home on site instead of storing it in the driveway.

Johnson explained that there would be three additional lots, plus an extension of the applicants existing lot on Huntington and one undevelopable outlot. The three additional lots will be approximately 22,000 square feet each in size.

Moran asked about management of the outlot. Johnson explained that this would be handled by the applicant at this time.

Dr. Bill Poston 9212 Huntington Circle, explained that he will be proposing three lots on the plat. The outbuilding will be built into the hill and be of stone to match the stone wall already in the area. It will be tastefully built. He intends to protect the trees. He has assured the owners on the north side that he would preserve a buffer area on the north side of his lots. Due to the topography and slope, much of the homes will be below the site line of the Huntington neighborhoods.

Petersma asked if the accessory building would require a site plan. Schiel-Larson explained that staff intend to request elevations and may require a development agreement. Wilwerding explained there would not be a site plan for approval but it would be handled through a building permit.

Motion by Robertson seconded by Moran to approve PZ Case No. 08-15; Silver Birch Park Rezoning.

Roll Call Vote:

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

7. PZ Case No. 08-20; Casey’s Site Plan, 6417 Northglenn Drive; The applicant, Casey’s General Store, is proposing to construct a 3,950 square foot convenience store on a 2.2

acre parcel located at the southeast corner of NW 70th Avenue and Northglenn Drive. The subject property is zoned PUD Planned Unit Development and is Parcel J of the Johnston Commons PUD zoning, which references the C-2 Community Retail Commercial Zoning District for permitted uses.

Ashley Moncado presented the staff report.

Robertson commented that he likes the proposal but questions the need for 3 access drives and questioned the need for the access on Northglenn Drive. Wolfe advised that copies of two e-mails from Foth engineering are provided tonight advising that while the access is closer than they would like, moving it south would not resolve the problem, if it is moved south it will just transfer the problem to Morningside Drive.

Temple explained that his reading of the e-mails is that it is a recommendation to move the entrance south. Robertson suggested that only the proposed access points on NW 70th on Morningside.

Wally Pelds, Pelds Engineering, 2323 Dixon Street, Des Moines, explained that westbound traffic would not have access. Removing the Northglenn Drive access will create internal circulation problems for the site.

Robertson stated again that he will not support the plan with the Northglenn Drive access located as currently shown. Pelds explained that it is needed for maneuvering trucks on site. The access could be moved southward if necessary, but removing the access entirely leaves only one right-in right-out access and one access from a residential side street. If all the traffic is pushed to the residential street there will be complaints from the residents.

Petersma asked about the median. Wilwerding noted that the median was removed and Northglenn was widened and is wide enough for a turn lane.

Temple asked about the fence. Pelds explained that staff recommended doing a mix of fence and landscaping.

Temple asked if the plantings will be on the residential side of the fence. Pelds replied yes. Wolfe noted that they need 3 additional understory and 4 overstory trees that are not shown on the plan. The applicant is proposing to eliminate the shrubs and evergreens that would normally be required due to the fence.

Petersma asked about the neighboring lots. Wilwerding responded that lots 2 and 3 are currently vacant.

Temple commented that his interpretation of the communication from the traffic engineer is that the preference is to relocate the access further south.

Robertson asked about the distance if the driveway is moved. Pelds explained that is proposed to be located 87 feet south of the trail on NW 70th Avenue That gives capacity for 4 cars. Moving it 25 feet further south gives room for one additional vehicle.

Seel commented that no convenience store site is perfect and creating problems for circulation on the site itself to resolve an occasional problem on the street seems unnecessary.

Motion by Seel seconded by Petersma to approve PZ Case No. 08-20; Casey's Site Plan 6417 Northglenn 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. Accepting the use of a 6' fence to be used as an alternate buffer by substituting the required amount of plantings in the 30' buffer along the east side of the site.

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

4. Monument signs must have a 15 foot setback from the angled property line in the northwest corner.
5. Indicate total wall area of each elevation and the square feet of each type of building material.
6. All HVAC units should be shown on the site plan and must be screened from view.
7. Revise open space planting schedule and landscape plan to indicate the required eight trees that need to be 8' to 10' in height and five trees of 2" to 2.5" caliper.
8. Revise buffer area planting schedule and landscape plan to indicate fourteen understory trees and four overstory trees.
9. The site plan indicates utilization of snap frame signage located on the brick canopy columns. The use of snap frame signage is not permitted by city code.
10. Sheet AC 102 should be amended to reflect an 8" water main, consistent with city requirements and other plan sheets.
11. Pursuant to Chapter 145, the applicants shall provide calculations utilizing the TR55 methodology to confirm adequate capacity in the existing detention and retention facility. If sufficient capacity does not exist, additional on site water quality and quantity features will be required.

Roll Call Vote:

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

- 8. Case No. 08-22; Ontuet Site Plan and PUD Zoning Amendment, 5435 NW 100th Street;**
 The applicant, Greg Judas, KC Holdings, Inc. wishes to construct a 4-story building on Lot 17, West Park Office Plaza Plat 1. With 8,450 sq. ft. per floor, the total building area is proposed to be approximately 33,800 sq. ft. The applicant also wishes to amend the PUD for West Park to allow an increase in maximum building height from 50 to 65 feet on Lot 17 only. The subject property is located at the northeast corner of the intersection of NW 54th Avenue and NW 100th Street and is zoned PUD Planned Unit Development. The West Park PUD references CO Commercial Office and C-1 Neighborhood Retail uses for permitted uses for the subject property.

Deb Schiel-Larson presented the staff report.

Moran asked about the proposed trail and the deferral. Wilwerding responded that part of the issue is the future improvements to NW 54th Avenue and NW 100th Street. The right-of-way for

the intersection is tight and so the intent is to negotiate an easement for the trail to come along the back side of the pond instead of along the street at the intersection for safety.

Temple asked about the no parking area and the reason for designating it on the pavement or on a sign. Schiel-Larson explained that it is by the applicant's preference.

Greg Judas, KC Holdings, 5530 West Parkway, explained that Ontuet is currently located in Urbandale and wishes to relocate. Ontuet disseminates and stores data. The building height comes from having a ten foot ceiling in the offices on each floor, and then space for ducting and the structural components.

Petersma asked if Ontuet will fill the entire building. Judas explained that they will initially finish and occupy the first two floors and then subsequent floors will be finished and occupied as needed. There will be no tenants.

Moran asked about the windows. Jerry Gebbert, OPN Architects, explained that the windows are large to allow a lot of natural lighting. It is not tinted but is a low-e coating. Gebbert displayed a sample of the window.

Motion by Moran seconded by Petersma to approve PZ Case No. 08-22; Ontuet Site Plan with the following conditions:

1. The project shall be in conformance and in accordance with the requirements, standards and regulations of the City of Johnston, and any other requirement of state or federal law or administrative rule.
2. The pedestrian trail is shown through the site; the easement for this trail would be included when a plat is submitted.
3. Public ingress-egress easements will be required.
4. The on-site water main will be required to loop back to West Parkway when future development is proposed north of this site, on Lot 17.
5. This review includes only the first Ontuet building. The future building illustrated on the Site Plans will require a separate review.

Prior to issuance of a Building Permit:

6. Access aisle for the accessible (handicapped) spaces shall be designated "no parking" on the pavement.
7. Pursuant to Chapter 145, the applicants shall provide calculations utilizing the TR-55 methodology to confirm adequate capacity exists in the existing detention/retention facility. If sufficient capacity does not exist, additional on-site water quality/quantity features will be required.
8. Defer sidewalk adjacent to NW 100th Street until otherwise directed by the City Council at its sole discretion. Once the Council directs installation of the sidewalk, it shall be constructed immediately at the applicant's sole cost.
9. Sidewalk adjacent to West Parkway shall be deferred until the development of the second (future) building, at which time it shall be required.

10. The building will be required to be sprinkled, with standpipes (typically in the stairwells).
11. A KNOX Box will be required for emergency access.
12. The Landscape Plan (Sheet C5.1) calculations be corrected to show a minimum 20 trees required.
13. The applicant shall provide a more diverse plant species selection for the overstory trees (a majority of the trees are proposed to be maple).
14. Submittal of a site lighting plan, proposed photometrics and specifications, and approval by city staff.

Roll Call Vote:

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

Motion by Moran seconded by Petersma to **approve / deny** amending Ordinance 673, Section II Land Use, Paragraph A, Office Park by adding a new Paragraph 7 as follows:

7. Principal buildings may exceed 50 feet in height (maximum of 65 feet) on Lot 17, West Park Office Plaza Plat 1, if the following is documented: the total area (sum of all floors, including basements) of the taller building can also be achieved in a building of no more than 50 feet in height.

Roll Call Vote:

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

9. Other Business

Wilwerding updated the Commission on recent submittals.

10. Adjournment.

Robertson adjourned the meeting at 8:20

Dick Robertson, Chairman

David Wilwerding, Secretary