



**PLANNING & ZONING COMMISSION &  
COMPREHENSIVE PLAN ADVISORY BOARD**

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

Minutes  
Joint Meeting: Monday, March 23<sup>rd</sup>, 2008

**AGENDA:**

**1. Call to Order**

Robertson called the meeting to order at 7:04 p.m.

**2. Roll Call**

**Planning & Zoning Commission:**

	Robertson	Wiskirchen	Temple	Moran	Schillinger	Petersma	Johnson
<b>Present</b>	X	X	X	X			X
<b>Absent</b>					X	X	

**Comprehensive Plan Advisory Board:**

	Robertson	Schiefelbein	Johnson	Wittman	Cordaro	Kimball	Dubas
<b>Present</b>	X	X			X	X	X
<b>Absent</b>			X	X			

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

**3. Approval of Agenda**

Robertson called for a vote to approve the meeting agenda.

**Planning & Zoning Commission:**

	Robertson	Wiskirchen	Temple	Moran	Schillinger	Petersma	Johnson
<b>Aye</b>	X	X	X	X			X
<b>Nay</b>							
<b>Abstain</b>							

### Comprehensive Plan Advisory Board

	Robertson	Schiefelbein	Johnson	Wittman	Cordaro	Kimball	Dubas
<b>Aye</b>	X	X			X	X	X
<b>Nay</b>							
<b>Abstain</b>							

**4. CP-16; Roughwood Area Comprehensive Plan Amendment;** The applicant, Steve Scott, is requesting an amendment to the Johnston Comprehensive Plan for the southwest corner of the intersection of NW 86<sup>th</sup> Street and NW 54<sup>th</sup> Avenue from Medium Density Residential to Commercial and/or Office uses.

David Wilwerding presented the staff report.

Robertson expressed his support for Scenario 1.

Robertson opened the meeting to public comment at 7:26 p.m.

Doyle Sanders, 5325 NW 90<sup>th</sup> Court inquired if it is staff's opinion that Scenarios 2 and 3 feasible. Wilwerding responded that the staff recommendation is for Scenario 1, the other two scenarios become less feasible due to carrying costs.

Greg Curtis, 8744 53<sup>rd</sup> Place, commented that the Comprehensive Plan is a long range plan. Scenario 1 only changes the designation for a handful of properties and seems more like a short range plan. Scenario 1 misses out on the square footage to attract a large development and bring in more revenue for the city. The city needs to wait until there is a bigger buyer that is willing to buy larger parcels.

David Newman explained that he is a partner on the property located at the corner of NW 54<sup>th</sup> and NW 86<sup>th</sup> Street. Newman provided an aerial photo of the intersection of Douglas Avenue and Beaver Drive to illustrate how this area might develop under Scenario 1. There has been talk about devaluation of homes, but that area is an example that contradicts that.

Steve Peterson, 8707 NW 53<sup>rd</sup> Place asked how big the neighborhood is that Newman discussed and commented that examples that have been used that don't represent this area. This is a small neighborhood and taking a small piece has a larger effect.

Peggy Anderson, 8714 NW 53<sup>rd</sup> Place, explained that her property would be directly adjacent to the Commercial area in Scenario 1. The city needs to look at whole area and either take it all or none of it. The city should table changing the plan until there is a developer that wants the whole thing.

Troy Murphy, 5368 NW 88<sup>th</sup> Court noted that Scenario 1 now includes two additional properties. He has consulted with real estate attorneys who have told him that property owners will be required to divulge what the Comprehensive Plan shows for their property when they sell it.

Mrs. Don Cruikshank, 5369 NW 88<sup>th</sup> Court commented that she is one of property owners that has been added to Scenario 1. She feels that no one will want to buy their property if the change is made.

Dennis Miles, 8772 NW 53<sup>rd</sup> Place commented that he is opposed to all three scenarios. If Scenario 1 happens he will have commercial properties on three sides of his property. If his

family ever wants to move no one would be interested in his property. He has spoken with realtors and none have been interested in marketing his home if this happens.

Sanders explained that he is opposed to changing the designation for the entire neighborhood. His position is that waiting to change is best.

Jamie Simpson, 8786 NW 54<sup>th</sup> Avenue, noted that studies have been used from other areas of town, why not have a study for this area? The city should table this request for now and move forward after the study.

Steve Scott, 6511 North Winwood, commented that when this process was started back in October, there was an interested buyer at that time. The problem with tabling is the delay; the plan needs to be in place to allow rezoning if a buyer is interested.

Scott explained that there have been three concerns expressed by the residents that he wants to address. The first issue is the plan for a cul-de-sac on NW 53<sup>rd</sup> Place. Scott commented that he is flexible and if the neighbors do not want a cul-de-sac that can be changed.

Scott commented that the second item was regarding disclosure during property sales. He is not an attorney but he disagrees that there is a disclosure requirement for Comprehensive Plan designations.

Scott explained that the third concern is that property values would decrease. Scott distributed a spreadsheet handout on property values showing three of the example areas provided in the previous meeting. At the first area, the Horton Circle area at 86<sup>th</sup> Street and Douglas Avenue, the property values increased at a faster rate than the surrounding neighborhood. The average increase for the properties adjacent to the commercial area was 4.5%, while average increase for the area was only 3.6%. The second area in the vicinity of 60<sup>th</sup> and Ashworth showed an average annual increase of value of properties adjacent to commercial of 3.9%, while the neighborhood average was 3.8%. The third area, north of 128<sup>th</sup> and University in Clive, showed an average annual increase of the property adjacent to commercial of 4.9%, while the area average increase was only 3.6%.

Peggy Anderson questioned whether Scott's examples are comparable to the Roughwood neighborhood.

Sanders asked about the properties added to Scenario 1. Scott responded that he agrees with city staff's reasoning for adding those.

Murphy asked about responses from the city attorney regarding notification and disclosure. Wilwerding responded that the city attorney has advised that there are notification requirements for rezoning that are not required for comprehensive plan amendments. Regarding individual properties and whether there is a disclosure requirement when selling a property, the city attorney did not provide an opinion because that is a private property issue. City staff provide any information available regarding the Comprehensive Plan for a property if they receive an inquiry about it.

Murphy commented that he has spoken with attorneys and has been told that he must notify potential buyers.

Debra Smith, 5324 NW 90<sup>th</sup> Court, commented that development in the Northpark development has stopped and she does not understand why the city needs to make this change now. It should be postponed and see what happens.

Robertson closed the meeting to public comment at 8:19 p.m.

Robertson commented that he prefers Scenario 1.

Wiskirchen asked if Robertson would prefer that the area be designated as Mixed Use or Commercial. Robertson replied that he would prefer Mixed Use.

Kimball requested a show of hands of those present that would be affected by Scenario 2. Kimball requested a show of hands of those affected that would be in favor of approving Scenario 2. [No hands raised in support]

Motion by Kimball seconded by Robertson to recommend changing the Comprehensive Plan per Scenario 1 with the modification of changing the designation to Mixed Use instead of Commercial.

**Roll Call Vote:**

**Comprehensive Plan Advisory Board**

	Robertson	Schiefelbein	Johnson	Wittman	Cordaro	Kimball	Dubas
<b>Aye</b>	X	X				X	
<b>Nay</b>					X		X
<b>Abstain</b>							

Motion by Temple seconded by Robertson to recommend changing the Comprehensive Plan per Scenario 1 with the modification of changing the designation to Mixed Use instead of Commercial.

**Planning & Zoning Commission:**

	Robertson	Wiskirchen	Temple	Moran	Schillinger	Petersma	Johnson
<b>Aye</b>	X		X				
<b>Nay</b>		X		X			X
<b>Abstain</b>							

Anderson asked about mixed use designation. Wilwerding replied that it could allow for commercial, office or high density residential uses and is more flexible than designating the area as commercial or office only.

Temple noted that when the zoning is changed the entire area would not necessarily need to develop at once.

Wilwerding explained that this request will now go before the City Council for consideration. Tentatively this may be considered by the Council at their April 6<sup>th</sup> meeting; city staff will send out a notification once the meeting date is determined.

Temple suggested that those members that voted against the motion may want to state their reasons so the City Council will be aware of them.

Wiskirchen commented that he thinks the long-term view for entire neighborhood should be mixed use. Dubas agreed.

Johnson commented that he feels Scenario 2 would be more appropriate for looking forward fifteen years, and Scenario 3 is more of a 50 year outlook.

## **5. Other Business**

Wilwerding reminded the Board and Commission of a Comprehensive Planning workshop with Gary Taylor from ISU in May.

Wilwerding noted that the regular P&Z meeting schedule for March 30<sup>th</sup> has been cancelled.

## **6. Adjournment.**

Meeting adjourned at 8:30 p.m.

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Dick Robertson, Chairman

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David Wilwerding, Secretary