



PLANNING & ZONING COMMISSION

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

Minutes
 Regular Meeting: Monday, March 29, 2010

AGENDA:

1. Call to Order

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

2. Roll Call

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

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

3. Approval of Agenda

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

4. Approval of Meeting Minutes: Regular Meeting March 8th, 2010.

Witmer noted a correction on page 3 suggested by Johnson to correct his comment regarding the amperage supplied by a 15 kilowatt system.

Motion by Johnson seconded by Wiskirchen to approve the minutes as amended for March 8th, 2010.

Roll Call Vote:

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

- 5. PZ Case No. 10-03; Des Moines Asphalt Recycled Asphalt Storage Site Plan, 5109 NW Beaver Drive;** The applicant, Des Moines Asphalt and Paving Company wishes to construct temporary buildings to protect and store asphalt shingles and other stored materials as necessary. Two 40'x100' buildings are proposed with additional buildings shown as possible future additions. The subject property is zoned M-2 General Industrial, CD Conservation District and FF Floodway Fringe Overlay District and is located east of NW Beaver Drive and north of I-80.

Deb Schiel-Larson presented the staff report.

Robertson opened the meeting to public comment at 7:11 p.m. No comments were received. Robertson closed the meeting to public comment at 7:12 p.m.

Temple asked about the amount of recycled shingles to be used annually. Greg Kinser explained that the plant processes about half a million tons of asphalt annually at this plant. Most projects allow for a maximum of 5% recycled material to be allowed within that mix, so that would require about 25,000 tons per year of the recycled material. The recycled material arrives in 3 to 4,000 ton lots, and the plant would probably not store more than that at any given time.

Temple asked about the capacity for MWA is to produce the recycled shingles. Kinser responded that the exact capacity isn't known, it is more than sufficient to supply this plant.

Temple asked about nail removal. Kinser explained that the process uses a large magnet over a conveyor belt to remove any nails. The shingles are ground up very fine, so even if a nail did get past the magnet it would likely be ground into small pieces as well.

Robertson asked if the recycled material will be sold to the public. Kinser replied no it will only be used in DM Asphalt's products for its own projects.

Temple asked about the location of the east city limits in relation to this site. Wilwerding answered that the city limits extend to the centerline of the Des Moines River.

Motion by Jeske seconded by Temple to approve 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. A Building Permit will be required for the initial installation. The applicant shall notify the City if/when additional temporary buildings are added or existing buildings are relocated.
3. Any expanded use on the site beyond receiving of processed and ready-to-use Recycled Asphalt Shingles which are "non-asbestos containing" (as defined by current County, State and Federal regulations) will require additional review and approval of an Amended Site Plan.
4. Landscaping on the site (trees and shrubs) shall be in compliance with the site plans as shown and previously approved in 2006 (PZ Case 06-36).
5. The two bioretention cells shall be repaired, restored and protected in compliance with the site plans as shown and previously approved in 2006 (PZ Case 06-36).

Roll Call Vote:

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

6. PZ Case No. 09-17; Small Wind Energy Conversion Systems Ordinance; Consider an ordinance regulating Small Wind Energy Conversion Systems.

David Wilwerding presented the staff report.

Robertson asked about eliminating the special use permit requirement for units under 15 foot in height. Wilwerding explained that such units would still need to meet all of the other ordinance requirements including minimum lot size.

Johnson asked about the maximum height for decorative windmills before a special use permit is required. Wilwerding advised that it is 12 feet. Johnson asked about exempting wind energy units of that height or less as well. Wilwerding replied that the Commission could add a provision to allow systems under 12 feet without a special use permit if that is desired.

Johnson noted that Ankeny has decided to allow more height on larger lots. Wilwerding advised that while Ankeny did allow more height on very large lots, they were more restrictive on smaller lots.

Temple asked if Clive removed from all residential districts. Wilwerding replied yes.

Wiskirchen asked if the ordinances for any other cities had provisions for “hobby usage”. Wilwerding replied no.

Wiskirchen noted that under old ordinance, a power generating windmill under 12 feet was allowed. Wilwerding replied yes, subject to the electrical code.

Robertson opened the meeting to public input at 7:33 p.m.

Nathan Drew, 712 50th St, Des Moines. He has a lot listed in Northwood, right now the developer is offering a green energy package. He has been attending planning meetings across the metro area to learn more about the proposed regulations on wind energy units. He would like to see some provision added for allowing units on lots under 40,000 square feet.

Robertson closed the meeting to public input at 7:35 p.m.

Wiskirchen asked where the line could be drawn between just being a hobby usage to something that goes beyond that. Wilwerding explained that he did some online research and there are companies that advertise a 1 kilowatt unit, but still needs to be pole mounted, the blade and units are a little smaller than a 15 kw unit but otherwise they are of similar height.

Moran commented that the technology is going to change, but this is a good starting point. Wiskirchen agreed, this sets some standards for potential problem issues. He would like to see provisions for hobby usage at this point we don’t know enough about it to craft something that fits at this time.

Robertson commented that there will new technology, smaller units might be able to generate more power. Temple suggested that the City could address the issue once the technology reaches that level.

Johnson commented that he does not see a problem with allowing units under 15 feet if decorative windmills of that size are already allowed. Wilwerding suggested that the Commission could amend language to allow them.

Temple stated that he is mostly supportive of the ordinance but is not sure that the middle of town is the place to put these units without a special use permit, he would like to keep the requirement for a special use permit for any size unit with no exemptions because these are units generating electricity, there could be safety issue. The model ordinance was drafted by a committee drawn from the metro area, it should not be changed without good reason. Jeske agreed.

Johnson asked for the reasoning behind 3 kw as the size for the exception. Wilwerding explained that he had struggled with that and based in on the fact that most of the small units he found online were in the 1-2 kw range, and from there they then jump up to 10 kw.

Robertson asked what the Council’s opinion on the ordinance may be. Wilwerding answered that there may be some concern from some members about allowing units in any residential district.

Johnson commented that if there are no exceptions there may be people tempted to install a unit regardless of the rules. There should be an incentive for people to come to city staff.

Jeske noted that a hobbyist might not have any idea that they need to get a permit from the city.

Wiskirchen asked if city staff would prefer to keep all as special use permit. Wilwerding replied yes.

Motion by Temple seconded by Wiskirchen to approve PZ Case No. 09-17; Small Wind Energy Conversion Systems Ordinance with the deletion of section C(2) under General Regulations.

Roll Call Vote:

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

7. Other Business

Wilwerding reminded the Commission that there will be an open house meeting at the Library on March 30th for the Comprehensive Plan Update.

March 31st is the JEDCO forum.

At the next meeting the commission will probably review a site plan on NW 86th Street that will be the last lot to develop in the NW 86th Street PUD area, a small addition to Bilbrey insurance on Greendale Road, and small subdivision.

Temple asked about a timeline for the proposed Pioneer project. Wilwerding explained that Pioneer has not selected a firm to do the design yet. A contract for the transportation study will be considered at the next council meeting.

Wiskirchen asked about the timeline for the Comprehensive Plan update. Wilwerding noted that it is right on schedule, there could be public meetings for adoption of final plan in September or October. April 7th will be a joint meeting.

Wilwerding explained that city staff held a meeting with property owners in the Roughwood neighborhood about proposed PUD zoning.

8. Adjournment.

The meeting adjourned at 8:06 p.m.

Dick Robertson, Chairman

David Wilwerding, Secretary