



PLANNING & ZONING COMMISSION

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

Minutes
 Regular Meeting: Monday, June 30, 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	Seel
Present	X	X		X	X	X	X
Absent			X				

City Staff Present: David Wilwerding, 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	Seel
Aye	X	X		X	X	X	X
Nay							
Abstain							

Wilwerding presented Seel with a plaque for his years of service on the Commission.

Temple arrived at 7:05 p.m.

4. Approval of Meeting Minutes: Regular meeting of June 9th, 2008

Motion by Seel to approve the minutes of the regular meeting of June 9th, 2008.

Roll Call Vote:

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

5. PZ Case No. 08-27; Pioneer Parking Expansion, 7100 NW 62nd Avenue; The applicant, Pioneer Hi-Bred Intl., is proposing a parking lot to add 66 new parking spaces at the Pioneer Hi-Bred International Corporate Campus Carver building. The proposed expansion will be located north of the lake and between the Carver building on the west and Pioneer Parkway along the east side of the site.

Ashley Moncado presented the staff report.

Motion by Wiskirchen seconded by Robertson to approve PZ Case No. 08-27; Pioneer Parking Expansion, 7100 NW 62nd Avenue with the following conditions:

1. The project shall conform with the requirements, standards and regulations of the City of Johnston.
2. The parking requirements for the Pioneer H-Bred International Inc. campus is hereby waived because the actual parking use is unique to the company and handicapped parking is supplied elsewhere.

Roll Call Vote:

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

6. PZ Case No. 08-28; Hy-Vee Expansion, 5750 Merle Hay Road; The applicant, Hy-Vee, Inc., is proposing an amended PUD Master Plan for Village Square Mall to allow construction of a 4,589 square foot addition to the east side of the existing Hy-Vee store at Village Square Mall. The Village Square Mall PUD Zoning District references C-2 Community Retail Commercial Uses and is located south of Winwood Drive, west of Merle Hay Road and east of Greendale Road.

Ashley Moncado presented the staff report.

Robertson asked at what point the installation of future parking might be required. Wilwerding responded that the spaces lost as a result of this addition will be replaced but the other future parking is located elsewhere on the site and would not serve this store, so it does not appear necessary to require the installation of those spaces at this time. Parking needs have fluctuated on the site over time as site occupation has changed.

Temple asked if the Merle Hay Overlay Requirement applies to this building. Wilwerding advised that the calculations in the staff report apply only to the addition. It is believed that the architectural requirements will be met by the entire building with the inclusion of the addition but city staff will verify that.

Temple asked about the drive-through window for the pharmacy. John Brehm, Hy Vee, 5820 Westown Parkway, West Des Moines, explained that the drive-up window will remain where it is, but one lane will be removed.

Schillinger asked about traffic flow for the car wash and tire dealership. Wilwerding replied that those are accessed by separate driveways and so this addition should not affect traffic for those properties.

Robertson asked about the one-way traffic around the building. Brehm replied that the loop is not really to be used for customer traffic, instead it is to allow delivery truck traffic to exit after deliveries.

Motion by Moran seconded by Wiskirchen to approve PZ Case No. 08-28; Hy-Vee Expansion, 5750 Merle Hay Road with the following conditions:

1. The project shall conform with the requirements, standards and regulations of the City of Johnston.
2. Pursuant to the existing Memorandum of Understanding, the parking stalls shown as future on the PUD Master Plan shall be deferred at this time, but shall be constructed if needed at the discretion of the City Council.
3. Photometric plans and manufacturer's cut sheets for all fixtures need to be provided for all proposed lighting.
4. Correct the PUD Master Plan to show 24 required spaces for the proposed addition instead of the 23 required spaces currently indicated on the Master Plan.
5. Site plans must show the words "no parking" painted on the pavement or with additional signage in the access aisles for handicapped parking spaces.
6. Building architecture is required to be 75% permanent material on all three sides of the building. Front elevations will need to be revised to meet city requirements.

Roll Call Vote:

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

7. PZ Case No. 08-30; Dairy Queen Grill & Chill Remodel, 6150 Merle Hay Road; The applicant, is proposing to remodel the existing Dairy Queen into a Dairy Queen Chill & Grill. The size of the facility will not be changed; however, it is proposed to change the exterior architectural elements, to include new paneling, masonry, lighting and signage elements. The subject property located west of Merle Hay Road approximately 200 feet south of NW 62nd Avenue, is zoned ROC-1 Mixed Use Center and is within the Merle Hay Road Corridor Overlay Zoning District.

Aaron Wolfe presented the staff report. Wolfe suggested an additional condition for approval that that the chimney on the east elevation shall be constructed of brick.

Petersma commented that this shows the shortcomings of the existing ordinance because it is requiring the replacement of a nice looking stone chimney with brick. Wolfe noted that the alternatives would be to pursue a variance which is probably not the correct tool, or to amend the ordinance which would take several months. Petersma commented that both brick and

stone are permanent materials and look good. Seel agreed. Wilwerding noted that the brick requirement has been debated before and until now it has always been upheld by the city council.

Temple commented that there is now a new city council that has not considered this but the previous council had always required brick.

Moran asked about the thought behind the brick requirement. Temple explained that the brick requirement on Merle Hay predated when he was on the City Council, when he was on the council the requirement was expanded to apply to other areas as a consistent image for the City of Johnston. Having a consistent requirement avoids arguments about whether a material is permanent or whether it's good enough to meet a standard. The downside is occasionally there may be a project that may look good but not meet the ordinance, but that opens the door for exceptions to be made.

Robertson commented that the Commission could decide on this and also make a recommendation to the council to consider amending the ordinance for the brick requirement.

Petersma asked what was the brick calculation was before converting the chimney from stone to brick. Wolfe replied that it was about 30%.

Moran asked about the neon lights. Wilwerding replied that the only requirement has been that if neon lights are proposed that it be shown on a site plan.

Guy Blume, Dairy Queen, 4309 NW 5th Street, Ankeny, commented that the building will not look nearly as good using brick instead of stone. He may return in the future to get it converted back to stone if the ordinance is changed. Blume explained that the proposed neon lighting will be a blue band around the building.

Motion by Petersma seconded by Wiskirchen to approve PZ Case No. 08-30; Dairy Queen Grill & Chill Remodel, 6150 Merle Hay Road with the following conditions:

1. The project shall conform to the requirements, standards and regulations of the City of Johnston.
2. The chimney on the east building elevation shall be constructed of brick in lieu of stone as is depicted on the elevation drawings submitted by the applicant.

Roll Call Vote:

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

8. PZ Case No. 07-14; Jimmy John's Site Plan, 5249 Merle Hay Road; The applicant, Merchant Investments, Inc., is proposing to construct a 2,789 square foot building, half of which would be used by the proposed Jimmy John's restaurant and the other half would be leasable commercial space. The subject property is located east of Merle Hay Road, south of Budget Storage and north of Belz Auto, is zoned C-3 Highway Commercial Retail and is within the Merle Hay Road Corridor Overlay Zoning District.

David Wilwerding presented the staff report.

Robertson asked about the use and if half the building would be leased. Wilwerding replied that the applicant is not certain at this point. As long as half of the building is retail it will not require a change in parking requirements. There is not sufficient space for two restaurants.

Moran asked about the traffic study and expressed concern about access to Merle Hay Road during peak times. Wilwerding explained that at this time the applicant has been unable to acquire an easement the rest of the way south to the lights on Merle Hay Road. City staff are asking that an access easement be provided up to the Budget Storage property so a north connection may be a future option although there are some topography issues. The property owner of the hotel property has been advised of a future requirement for an easement and that eventually there will be a frontage road there.

Petersma noted that the elevations make it appear that there will be two drive-up windows. Wilwerding replied that that is an error on the elevations, there will only be one drive up window.

Motion by Seel seconded by Petersma to approve PZ Case No. 07-14; Jimmy John's Site Plan, 5249 Merle Hay Road

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 building use is approved as a restaurant, with 14 employees on the maximum shift and 700 sq. ft. of patron use area (no outdoor seating). Different uses that would increase the on-site parking required by the Ordinance will require approval of an Amended Site Plan prior to installation.
3. All work in the right-of-way will require a permit from the Public Works Department.
4. As required by the Johnston Fire Chief, the building shall include a KNOX Box for emergency access.

Prior to issuance of a Building Permit:

5. Site Plans shall illustrate the proposed connection to the existing storm sewer main adjacent to Merle Hay Road.
6. Site Plans shall include spot elevation information to protect the southeast corner of the site above Elevation 717.20. The intent is to prevent overland flow southeasterly.
7. Applicant shall review with city staff and Veenstra & Kimm whether any freeboard above Elevation 717.20 could be reasonably provided on the site.
8. Site lighting fixtures as submitted on the site lighting plan shall be downcast and shielded (cutoff), with no tilt. The conceptual soffit lights illustrated on the architectural elevations are not approved.

Prior to issuance of a Final Certificate of Occupancy:

9. An executed ingress-egress easement (north-south) in the area of the drive aisle adjacent to Merle Hay Road and connecting to the shared driveway easement shall be required.

Roll Call Vote:

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

9. Other Business

Wilwerding updated the Commission on the recent flooding.

Wilwerding updated the Commission on the status of the Northwest Annexation.

Moran asked about the timing of street lights on Merle Hay Road and noted that when NW Beaver Drive was closed due to flooding traffic moved very slowly on Merle Hay Road. Wilwerding explained that the traffic signals at the interstate ramps are controlled by the DOT.

Wiskirchen asked about the status of the hotel at 5055 Merle Hay Road. Wilwerding replied that it will be demolished later this summer. At present the owner is allowing the building to be used for law enforcement training.

Wilwerding updated the commission on upcoming projects.

10. Adjournment.

Robertson adjourned the meeting at 7:55 p.m.

Dick Robertson, Chairman

David Wilwerding, Secretary