



**PLANNING & ZONING COMMISSION**

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

Minutes  
 Regular Meeting: Monday, August 25, 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
<b>Present</b>	X	X	X	X		X	X
<b>Absent</b>					X		

**City Staff Present:** David Wilwerding, Steven Witmer, Jim Sanders

**3. Approval of Agenda**

Motion by Petersma seconded by Moran to approve the agenda.

**Voice Vote:**

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

**4. Approval of Meeting Minutes:** Regular meeting of August 11, 2008.

Moran moved approval of the minutes of August 11, 2008.

**Roll Call Vote:**

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

**5. PZ Case No. 08-34; Northwood Estates Plat 2 Final Plat;** The applicant, D&E Properties, L.L.C. is proposing to subdivide an 8.533 acre parcel into 8 single family residential lots. The property is located between NW 86<sup>th</sup> Street and NW 95<sup>th</sup> Court, North of NW 70<sup>th</sup> Avenue and is zoned R-1(75) Single Family Residential.

David Wilwerding presented the staff report.

Schillinger arrived at 7:05 p.m.

Moran asked if there were concerns about access for the Home Show. Wilwerding explained that parking will be closer to NW 70<sup>th</sup> on the townhome area and a temporary driveway could be added for that. The applicant is also discussing an alternative with John Deere Credit for allowing parking at their site and running a shuttle.

Temple asked about the petition and waiver. Wilwerding explained the petition and waiver.

Robertson asked how many lots will be used for the Home Show. Wilwerding replied that there are potentially twenty lots available for the Home Show but there will probably be 5 to 10 homes ready by for event.

Temple asked if the concrete has already been poured for the cul-de-sac. Wilwerding replied that the paving is scheduled for this week.

Motion by Moran seconded by Wiskirchen to approve PZ Case No. 08-34; Northwood Estates Plat 2 Final Plat.

1. The project shall conform to the requirements, standards and regulations of the City of Johnston.
2. Submission of all final plat documentation to City's Staff and Attorney, for review and approval, must occur six (6) working days prior to the City Council's regular meeting.
3. The addition of the eight proposed lots within this plat will not adversely impact ingress/egress into the subdivision on Peckham Street, however, no additional Final Plats creating additional residential lots shall be approved for the remaining area of Outlot Z until a secondary means of ingress/egress is provided to the site (Valley Parkway extension to the north or east).
4. This site is within the Northwest Water Connection District, payment of the \$14,932.75 fee is required prior to City Council approval of the final plat.
5. This site is within the Northwest Area Sanitary Sewer Connection District, payment of the \$21,322.50 fee is required prior to City Council approval of the final plat.
6. All structures located on lots that have a minimum protection elevations identified on the plat shall certify that the structure meets that elevation prior to the issuance of a certificate of occupancy for that structure.
7. Installation of a trail along the future extension of Valley Parkway is an acceptable alternative to the dedication of the required 0.119 acres of public parkland that is required. The approval of the Final Plat is subject to the developer's execution of a development agreement prior to the City Council's approval of the Final Plat.

**Roll Call Vote:**

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

**6. NW 100<sup>th</sup> Street Urban Renewal Plan;** Determine if the proposed plan is in conformance with the general plan for development in Johnston.

Jim Sanders presented the staff report for both agenda the NW 100<sup>th</sup> Street Urban Renewal Plan (agenda item #6) and the Beaver Creek West Economic Development Urban Renewal Area (agenda item #7) together.

Wiskirchen asked for confirmation that the Commission's task is to verify the land use. Sanders replied yes.

Robertson asked if this will be used for retail and asked if this could provide an unfair advantage to new retail that would compete with existing retail that did not receive an incentive. Sanders responded that no tax increment financing is available for retail, based on existing city policy.

Petersma asked what would happen if a building is originally built as an office building but then converts to a retail use several years later. Sanders replied that it depends on the conditions of the agreement. If part of a building is to be used for retail the agreement will only provide TIF proportional to the non-retail part of the building. Each agreement is approved by the City Council on a case by case basis and explains the types of uses allowed for the building. After the agreement expires then the restrictions are based on the zoning.

Schillinger asked how is that policed. Sanders answered that city staff would be responsible for that.

Petersma asked what the typical time period of an agreement is. Sanders replied that they are usually five years or less, it depends upon the agreement and each agreement is unique.

Petersma asked if the agreements have any requirements that the project will bring in new business or an expansion of an existing business. Sanders replied yes, all TIF agreements relate to taxable dollars. In Johnston historically the creation of tax base is more important than creation of new jobs and the agreements tend to reflect that.

Petersma expressed concern about potential competition with existing leasable space in Johnston. An applicant receiving TIF assistance could potentially be able to offer new space at a lower cost than older existing leasable space that did not receive TIF assistance. This could create a situation of existing businesses in Johnston shifting from an older existing building to the new building but not bringing any new business to town. The City Council should keep this possibility in mind when considering the agreements. Is it possible to draft these agreements with a condition that they bring new business into town. Sander responded that the City Council can opt to offer less incentive if they do not feel a project meets their intent. This fall the City Council will be reviewing the TIF policies.

Robertson asked about the impact the districts have on NW 100<sup>th</sup> Street. Sanders responded that at NW 54<sup>th</sup> Avenue and NW 100<sup>th</sup> Street will be cost shared between Urbandale, Grimes and Johnston. Money generated in the TIF district can be used for improvements made within the district.

Temple asked if the townhomes on east side of West Park have been removed. Sanders replied yes, when the townhomes were platted that area was removed from the district at that time.

Petersma asked if there was any limit to how many times a property can use TIF? Sanders replied no, but TIF is only available if the project will result in added value to the property.

Robertson asked for an explanation of the workings of TIF. Sanders explained that it is based on the amount of anticipated improvement. Taxes are still paid on the base value of the property. The additional tax revenue generated is either rebated back to the applicant during the agreement period or is used for various other uses under the agreement such as infrastructure improvements in the district. After the agreement expires the full tax on the improved property is disbursed to all taxing agencies as normal.

Motion by Wiskirchen seconded by Temple to find that the NW 100<sup>th</sup> Street Urban Renewal Plan conforms to the general plan for development in Johnston.

**Roll Call Vote:**

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

**7. Beaver Creek West Economic Development Urban Renewal Area;** Determine if Amendment No. 2 to the plan is in conformance with the general plan for development in Johnston.

Motion by Moran seconded by Temple to approve find that Amendment No. 2 of the Beaver Creek West Economic Development Urban Renewal Area conforms to the general plan for development in Johnston.

**Roll Call Vote:**

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

**8. Other Business**

Wilwerding distributed and explained a mailing insert about the ongoing watershed assessment that will be included in next water billing. An open house regarding the assessment will be held at the Johnston Library on September 16<sup>th</sup> and a workshop on how to construct a rain garden will be held on September 25<sup>th</sup> in Green Meadows West.

Discussion occurred regarding the tour of the Camp Dodge facilities.

**9. Adjournment.**

Robertson adjourned the meeting at 7:45 p.m.

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Dick Robertson, Chairman

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David Wilwerding, Secretary