

Altoona Board of Adjustment Hearing – May 2, 2023 – 6:30 PM

Members Present: Rullman, Hall, Simon, Forbes

Members Absent: Downs

Staff: John Shaw, Marina Smart, Natalie Jacobson

Guests: Aaron Quinn, Korey Marsh, Amy Miles, Jerry White

Chairman Rullman called the meeting to order at 6:31 pm.

1. Roll Call. Roll call was taken. Four commissioners were present at roll call.

2. Review and approve the March 7, 2023 meeting minutes.

Motion by Simon, seconded by Hall, to approve the minutes.

Vote: Yes – Simon, Hall, Rullman, Forbes. No – None. Abstain – None. Motion approved, 4-0-0.

3. Consider a request for a conditional use permit to allow outdoor storage for Crescent Electric Supply Co. for the property at 2770 21st Street NW.

Aaron Quinn (Crescent Electric Supply Co.) presented the application. The applicant is looking to expand the outdoor storage space to 2,200 square feet to comply with the six (6) foot threshold and so that no stacking will exceed the fence height. Rullman and Simon ask additional questions regarding the fencing details. The applicant was at the March 7th meeting and the request was tabled for further conversation to be had once more information was provided. Quinn responded the fence will remain at six (6) foot height and the proposed slatting has not changed from the original proposal.

Rullman asked about the proposed landscaping. Quinn informed the Board that the trees have been planted. Rullman then asked staff and the public if they had any questions for the applicant. Jerry White (6206 NE 62nd Ave) asked where this storage yard will be located in relation to his property. Quinn informed him that this application is not located near Mr. White's property. There were no further questions, so Rullman asked for a motion.

Motion by Forbes, seconded by Simon, to approve the conditional use permit as requested.

Vote: Yes – Forbes, Simon, Rullman, Hall. No – None. Abstain – None. Motion approved 4-0-0.

4. Consider a variance request from Peterbilt Altoona to allow the overhead doors to face public right of way.

Korey Marsh (Snyder and Associates) presented the application. The property recently went through the Planning and Zoning Commission for the site planning process. The building is being

torn down and reconstructed to be slightly larger and include a body shop for Peterbilt machinery. The current building already has overhead doors facing public right of way. The new building is orientated in a way that allows for truck movements and maneuverability throughout the site as well as in and out of the shop. Additional screening was provided; however, due to the detention basin being located to the north along the public right of way the amount was limited so as to not interrupt the usage of the space.

Rullman asked Marsh if the doors facing the north will have any glass or if they will be completely opaque. Shaw chimed, in with the site planning process the landscaping has been increased and the current deficiencies are being addressed.

Rullman asked if there were any more questions, hearing none he called for a motion.

Motion by Simon, seconded by Forbes to approve the variance as requested.

Vote: Yes – Simon, Forbes, Rullman, Hall. No – None. Abstain – None. Motion approved 4-0-0.

5. Consider a variance request from Equipment Share to allow overhead doors to face public right of way.

Amy Miles (PB2 Architecture and Engineering) presented the application. The overhead doors in question will be facing north and south and will be completely opaque without any windows. The entire yard will be screened with chain link fencing with slats so the overhead doors will have minimal visibility over the screening. The site has not gone through a site plan yet, this is as a preliminary thing to make sure the site works for the company's needs. The site will be subject to landscaping per the city's ordinances and will thus provide additional screening for the overhead doors.

Jerry White (6204 and 6206 NE 62th Avenue) requests that the Board follows the rules and codes that the city law lays out as he believes there is a good reason, they were passed in the first place. Rullman chimed in stating that he noticed the layout of the property is unique and has public right of way on three of the four sides making it difficult to not have any doors facing right of way. Miles added that the building is orientated with the overhead doors facing north and south due to wanting to direct traffic away from NE 62nd Avenue. Whereas if the building was rotated it would be funneling traffic on that road which the city advised against during the review and pre-application process.

White asked if the building could be relocated more to the northeast with having the overhead doors facing the east and south. Miles responded that it would limit the space the equipment has to move in and out of the building. The bay doors are on either side of the building to allow for the vehicles to move through the building versus pulling in and backing out. White noted that his property is directly adjacent to the new Kwik Star and the sound from the idling trucks is causing a decrease in their quality of life. If the overhead doors of Equipment Share are also facing his

property, then it will just be a megaphone of noise funneled towards his property. Miles addressed the noise pollution concern. Equipment Shares hours of operation are from 7 AM to 5 PM and no equipment will be moved before or after those hours. Additionally, the overhead doors are for service bays so no trucks or equipment will be left idling or moving beyond entering and exiting the building. Rullman also noted this type of business is mainly storage so beyond the servicing of the equipment the only other vehicle noise will be the drop off and pick up of the rentals. Rullman mentioned that he has been to the Kwik Star that White refers to for truck idling and engine noise. This truck stop has significantly more noise pollution than this proposed development. In which case, the noise from Equipment Share will be negligible when put into that comparison. As Miles has mentioned as well, this location will not be open 24 hours a day. White brought up his concerns about truck traffic. He has experienced damage to his driveways, trees, and mailboxes from the influx of truck traffic moving by his property to Kwik Star. White mentioned he just does not have the tolerance to accept a degraded quality of life. His other property is a rental property and has now been having trouble attracting renters.

Forbes asked Miles what type of equipment will be available for transaction on this property. Miles responded that Equipment Share is a nationwide construction equipment rental company. They maintain a fleet of equipment that is available and rented out to general contractors for large scale construction ranging from commercial down to home production. Most of the rentals will be taken off site by Equipment Share fleet vehicles or trailers. There are not a lot of individual sales that occur where the equipment is rented and driven off site. This business is similar to a Hertz rental.

Rullman asked Miles if the overhead doors will be opaque. Miles responded that there are no windows in these doors and will be completely opaque. No further comments were made. White asked if there were other layouts considered. Miles responded that with how they needed the building layout to be and where they can have the outdoor storage, there are two layouts they were truly able to consider. However, in both layouts, since the site is bordered by right-of-way on three sides they were going to have issues with where the overhead doors could be placed. The layout that is in front the Board today is the most optimal for the space and the required uses.

Shaw added in that the applicant met with staff to go over this item and staff recommended the location and traffic route for this business. Staff strongly encouraged the rerouting of traffic away from NE 62nd Ave as shown in the application. Staff also worked with them with the noise mitigation plan in mind to help make sure that all parties would benefit from this type of business.

Motion by Simon, seconded by Hall, to approve the variance as requested.

Vote: Yes – Simon, Hall, Rullman, Forbes. No – None. Abstain – None. Motion approved 4-0-0.

6. Consider a request for a conditional use permit from Equipment Share to allow outdoor storage.

Amy Miles presented this application. She explained the type of equipment will range anywhere from scissor lifts to backhoes to post hole equipment. The screening is shown on the site plan in

front of you. They are providing a chain link fence with slatting to screen the equipment from the road and surrounding properties. Rullman verified that the fence is going to be 6 feet tall. Miles confirmed this. The equipment will not be stacked but there are a few things that will be taller than the fence. The items that are taller will be stored more towards the back of the property which is the east/southeast side. Hall asked what type of equipment will be the tallest. Miles responded that large scale bucket lifts will probably be the tallest item of equipment out there. The manufacturer does not require them to be raised for storage but there are times for repairs and maintenance that they must be raised. This is typically only a temporary thing though.

Rullman enquired about the landscaping plan for screening at this property. Miles replied that the landscaping plan in front of them is from a different site but shows the intent to properly screen as per the city ordinance. This site is still under design so the landscaping plan has not been finalized but the company has always worked to incorporate the city's landscaping and screening requirements.

In the final remarks, White stated that he feels like he's talking to a brick wall every time he attends on of these meetings. He would like the Board to consider the citizen and follow the rules that the City Council has approved.

Motion by Hall, seconded by Simon, to approve the conditional use permit as requested.

Vote: Yes – Hall, Simon, Rullman, Forbes. No – None. Abstain – None. Motion approved 4-0-0.

Meeting adjourned at 7:17 pm.

Respectfully submitted.

Natalie Jacobson

City Planner