

ALTOONA PLANNING AND ZONING COMMISSION MEETING

June 28, 2022

Altoona City Hall

Members Present in Person: Michelle Sloan, Jill Pudenz, Scott Henry, Steve Moyna, Erin Herbold-Swalwell, Steve Chase

Members Present Virtually: None

Members Absent: Dan Narber

Staff: John Shaw, Jenn Naylor, Marina Reasoner, Natalie Jacobson, Chief Stallman

Guests: Meeting was held in a virtual Zoom format and in-person; In-person and online guests included Angie Pettinger, Kelsey Anderson, Josh Anderson, Russ Bitterman, Steve Gulling, Laura Sweeden, Jackie White, Russ White, Troy Weaver, April Weaver, Ryan Mertens, Jessie Askeland, Alan Bomer, Billy Dale, Frank Dale, Dave Hansen, and others not signed in.

Vice Chairperson Dan Narber called the meeting to order at 6:30 p.m. Roll call was taken. Six commissioners were present at roll call.

1. Public hearing of the rezoning request from Stubbs Development to rezone 34.35 acres of Spring Creek Ridge West Plat 5 located west of Spring Creek Ridge Plat 1, 2, and 3, from A-1 to R-5 PUD to allow single-family residential development.

Branden Stubbs (Stubbs Engineering) presented the request. He explained the location of this plat in relation to the other Spring Creek plats and that it is a single-family residential development. He said they met with City Staff numerous times before purchasing the property. They would like to move forward, get the grading going and the pond dug. Henry asked about the lot size. Stubbs said there were 70-foot lots bordering the east and 60-foot and 63-foot lots mixed in where they fit to the west. They saw the development plan to the west had 60-foot lots on the east side of their development, so they are transitioning into their 60-foot lots. The lots were displayed. Pudenz asked about the lot size minimum. Stubbs replied 60 and that everything along the south had to be 63-feet.

Henry opened the public hearing.

Roger Dale did not give his address and stated his mother owns the property to the west. He said his issue is that Lot 71 encroaches on her property. As his mother passed away, the property now goes to him and his siblings. The encroachment issue was displayed. Henry stated they will have to fix that if that is the case. Shaw explained that that wouldn't be allowed, that it would become a vacant lot. Dale brought up that during a past project, his land was used without easement or permission, and he doesn't want it to happen again. Shaw stated that if it happens, contact the City. Either the Engineering or Building Departments can address it, depending if its during dirt work or construction.

Josh Enderson (1118 34th St SE) lives in Spring Creek Ridge. He said he understood creating more affordable housing, but he expressed his concerns with the lot sizes, referring to it as a bait and switch for families already invested in the area. Among his concerns were lowered home values, consistency in aesthetic requirements, covenants, and the number of outlets, as there is a racing problem nearby. He asked if they were transitioning in size, why they could not make it a more gradual transition rather than transitioning to the bare minimum lot size.

Russ White (3112 Lakeview Dr SE) is a new resident to Altoona. He expressed two concerns. The first was ensuring the covenants are consistent with those for Plats 1 through 3. He said the City said they were working on the covenants, but they weren't available yet. He said they were assured by their builder and another developer that the area and covenants would be consistent, and he built a new home based on that information, after reviewing the covenants for Plats 1 through 3. He requested

that the City not approve the development until the covenants are made public. His second concern was a drainage problem in Plat 3. A neighbor has drainage issues, can't mow, and he would like an explanation from Stubbs Engineering as to how they were going to deal with that drainage issue, and he would like the neighbors' issues taken care of, because they are all neighbors and have the same concerns.

Henry asked about covenants. Dave Stubbs (Stubbs Engineering) said the covenants generally come after the lot sizes have been determined. He said the drainage issue could be a grading issue with the lot and that he doesn't know. As far as lot sizes, he said he would be fine continuing with 70-foot lots all the way to the west. He wouldn't want to go from 70 to 80 and back down, however, as that's not the way the market works. They have plans for larger lots to the north with 70-foot minimums. Pudenz asked who enforces the covenants. Stubbs said the developer does initially, but when all the lots are sold, it's in a home owners' association. For things they want to change, they can appeal, get percentages of neighbors to sign. He said that the covenants can align with those of Plat 4.

Steve Cole (1054 34th St SE) joined via Zoom. He stated that his is the last house on 34th. He was told there would be yards adjoining his and he was fine with it, but now they want to build smaller lots. He said he lives in an R-1, and they want to put R-5 in there with shorter easements and smaller things. He said he built a shed in his back yard and had to use Hardy plank to match the code, and he wanted to know if these people will have the same thing. Pudenz stated yes, that that was what they were just talking about with the covenants. Cole began a discussion with Roger Dale about weeds along his property. Henry told them it was a discussion for offline between the two of them. Cole stated his concern with adding all these houses without more accesses to the development. Pudenz stated that at some point, there will be more access points. Cole brought up the speed of traffic nearby.

Chase asked about the status of the development to the west. Shaw said it's sitting before City Council. They are working on concepts to address lot sizes, layout, park space, and drainage, and they haven't come to a resolution yet. Chase asked if there was a collector road and access out to NE 27th. Shaw explained the future street connections.

Branden Stubbs addressed the previous engineering comments. He said the grading issue with the dirt work was a City project to extend the sewer, not a developer's project. There will be a future collector going north-south on the property to the west. They don't own the ground to the south, so they can't run a road through there. Creating the pond will help with water table issues. Intakes and swales will be created with the new development to help alleviate drainage problems. They can't control where the farm drains through or any of that on Plat 3. With Plat 1, they did a lot to help the neighbors to the south. Stubbs also said they were planning on doing R-1 with 70-foot lots originally, but with the development to the west, there needed to be a transition.

Angie Pettinger (1062 34th St SE) lives next door to the Coles. She said she was doing some research on Spring Creek Ridge Plat 1 and said that it said the lots were 80-foot lots, deeper and wider than other developments. She said she has one of the larger lots in her current development. She said she doesn't want to see smaller houses two doors down from her that don't butt up or match to their lots, as it puts everything aesthetically off. She doesn't understand why, if they're trying to match neighborhoods, they wouldn't match to an existing neighborhood rather than a future neighborhood.

Therese Augustine (3111 4th Ave SE) said this development doesn't affect her; she just wanted to come and listen. She asked if developers want to keep going with smaller and smaller lots, why the City doesn't just say that all developments have to have a minimum of 70-foot lots. She said they all know that the developer's plan is the more lots they can sell, the more money it is for them. They don't care about the residents. Pudenz stated that not everyone can afford a 70-foot lot. Augustine said as people who live there, they have invested in their homes and their properties, and the cheaper

homes affect the value of their properties. She said that the lots between Spring Creek and Fieldstone should be mandatory 70-foot lots, that it would solve a lot of problems.

Russ White (3112 Lakeview Dr SE) agreed with Augustine, having a standard for the development.

Steve Gulling (8304 NE 27th Ave) stated he was there on behalf of his daughter and son-in-law. He said he's one of the builders who started Venbury in 1992, which is an example of what these people are wanting. The lot sizes were consistent down to Ironwood and clear down to Edwin Skinner Parkway. He said the covenants are good for the people who live there to enforce. He stated he cannot find Spring Creek Plat 1, which should have been recorded in 2017. Neither Marina [Reasoner] nor Vern Willey can find it. He doesn't think the covenants were ever recorded. Gulling said covenants should be recorded before any lot is sold.

Josh Anderson (1118 34th St SE) said if you look on the Assessor's, they are all on the high side of 70 and even 80 feet on the north end. Theirs is the smallest at 71 feet. While they say they established 70-foot lots, it's quite a bit different than what is actually there.

Henry closed the public hearing. Shaw addressed the Spring Creek Park Plan and issues that need to be address with prospective development projects including drainage and parks and ways to blend the projects together with City Council's vision of a linear, natural open space-feel. There was a public-private partnership with the two lakes, which will probably have to be done again. Knowing that the plan will change, Staff requests that the action be deferred at this meeting. The City appreciates that the developer wants to move dirt while the weather allows. They will try to expedite the process of figuring out the logistics of drainage, the park plan, and layout. They can incorporate that into their plan and their plat. They can also address the drainage onto Lot 13. Shaw explained agenda item 2 to the public.

Dave Stubbs reiterated that going with minimum 70-foot lots is agreeable to him. The covenants would be similar to Plat 4. He would be fine going with R-1. That would address the covenants and the lot sizes. Henry said if they defer, and if they come to an agreement of what the new plan is fairly quickly, they can have a special Planning and Zoning meeting before the next scheduled meeting.

Branden Stubbs asked if they could move it forward contingent upon 70-foot lots and R-1 zoning, as they are trying to get dirt moved. As far as drainage, they are at the bottom of the hill and cannot do anything except extend the pond. They don't want to be held up by an issue to the west of them. He said the City Engineer agrees that there is nothing more they can do to alleviate the problem than what they are showing. He asked if there was an option for a grading permit to move ahead with the grading plan. They agree to the larger lots. Pudenz asked about the zoning of Plats 1 and 3. Stubbs responded they are all R-1. Shaw explained that when zoning is changed, they have to go through a public hearing process and notify people of the request. The initial request was from A-1 to R-5. They can't decide to go R-1 instead at this meeting. Staff would have to re-publish and re-notify everyone legally to make that change. The fees could be waived, but it's not something they can choose to do right now. Branden Stubbs asked if they could go R-5, contingent on minimum 70-foot lots, meeting R-1 standards. Shaw said they can change their lot sizes, but his position hasn't changed. He has highlighted things that need to be addressed that haven't been addressed. Henry said he would vote to defer until they come to an agreement with Staff. He said he appreciates their flexibility in going to 70-foot lots and reiterated that a special meeting could be held if they move quickly.

Motion by Henry, seconded by Herbold-Swalwell, to defer and table the rezoning request from Stubbs Development to rezone 34.35 acres of Spring Creek Ridge West Plat 5 located west of Spring Creek Ridge Plat 1, 2, and 3, from A-1 to R-5 PUD to allow single-family residential development, with a special meeting if needed.

Votes: Yes – Henry, Herbold-Swalwell, Sloan, Pudenz, Moyna, Chase. No – None. Abstain – None.
Motion approved, 6-0-0.

2. Public hearing of the development plan approval request for the Spring Creek Ridge West located west of Spring Creek Ridge Plat 1, 2, and 3. The developer is proposing to construct single-family houses on this lot.

Branden Stubbs (Stubbs Engineering) presented the request. He asked if they come to an agreement and come back with a rezoning, if there were any opposition regarding them moving forward with the grading at this point. Henry said they own the ground, but they don't have plat approval and it may need to be fixed. Shaw said it's above his pay grade. Henry said it would be a City discussion. Shaw recommends continuing the public hearing rather than closing it.

Henry opened the public hearing and asked for comments that were different than what had already been discussed.

Angie Pettinger (1062 34th St SE) asked if they would be notified of what it would look like. Shaw affirmed. Pettinger said her understanding of what was said was the 70-foot lots would be around the lake or the pond, and she's not around the lake or the pond. She wants to make sure that they are going to be consistent down her street, two lots down from her, with 70-foot lots. Henry stated the discussion was all 70-foot lots, but that has not been agreed upon and nothing has been approved.

Steve Gulling (8304 NE 27th Ave) wanted to know how the equipment will get to the site. He asked if they'll come thorough the residential area. He said his daughter has already had a fully loaded dump truck on her driveway and now he has a granddaughter living there. Shaw stated he imagines they'd access from the north, north of the lake. Henry said the City could put up signs.

Ryan Mertens (3104 Lakeview Dr SE) said the other park plan would alleviate some of the racing issues. He asked why they deviated from that plan and if it had to do with the smaller lot sizes. Henry stated it was a conceptual plan.

Motion by Henry, seconded by Herbold-Swalwell, to continue the public hearing of the development plan approval request for the Spring Creek Ridge West located west of Spring Creek Ridge Plat 1, 2, and 3. The developer is proposing to construct single-family houses on this lot.

Votes: Yes – Henry, Herbold-Swalwell, Sloan, Pudenz, Moyna, Chase. No – None. Abstain – None.
Motion approved, 6-0-0.

3. Consideration and recommendation of the Final Plat for Tuscany Townhomes Plat 4.

Trent Smith (McClure Engineering) remotely presented the request with Caleb Smith of Hubbell Realty Company. A rendering was shown. He explained it has 48 townhome units. They have no issues with the remaining Staff comments. Henry asked if this were the final plat in that area to finish out the townhomes. Smith affirmed. Henry asked if there were any issues out there. Shaw stated no.

Motion by Pudenz, seconded by Moyna, for recommendation of the Final Plat for Tuscany Townhomes Plat 4, subject to two deficiencies.

Votes: Yes – Pudenz, Moyna, Sloan, Henry, Herbold-Swalwell, Chase. No – None. Abstain – None.
Motion approved, 6-0-0.

4. Consideration and recommendation of the Preliminary Plat for Tuscany Plat 7.

Trent Smith (McClure Engineering) remotely presented the request. This has already been approved as part of Tuscany Plat 6. This is the east portion of the project. A rendering was shown. There has been a time lapse since the plat was submitted, so the preliminary plat was resubmitted. They have no issues with any remaining Staff preliminary or final plat comments. Henry asked if this was the end of Tuscany until they buy more ground. Smith affirmed. He assumed the development will continue south and east, but this is the east edge right now. Shaw reiterated that the preliminary plat was expired, so they have to re-approve that to approve the final.

Motion by Henry, seconded by Herbold-Swalwell, recommendation of the Preliminary Plat for Tuscany Plat 7.

Votes: Yes – Henry, Herbold-Swalwell, Sloan, Pudenz, Moyna, Chase. No – None. Abstain – None. Motion approved, 6-0-0.

5. Consideration and recommendation of the Final Plat for Tuscany Plat 7.

Trent Smith (McClure Engineering) remotely presented the request with nothing further to add.

Motion by Pudenz, seconded by Sloan, for recommendation of the Final Plat for Tuscany Plat 7, subject to deficiencies.

Votes: Yes – Pudenz, Sloan, Henry, Moyna, Herbold-Swalwell, Chase. No – None. Abstain – None. Motion approved, 6-0-0.

6. Consideration and recommendation of the Site Plan for DSM Industrial LLC – Altoona Warehouse.

Brent Strauch (Shive Hattery) presented the request. The site is located at 1601 34th Ave, north of the interstate, east of Facebook. They are looking at 60,000 square foot warehouse space with the general intent of having a buildout of warehouse space with a renter coming later. The intent would be a contractor's warehouse wholesale-type property. There would be parking on the west front side. The eastern portion of the parcel would be a laydown site. Because it is a funky-shaped parcel, the detention would be in the back and would route to the west in some capacity. He explained that on a portion to the south/south-central, they'd try to keep the drainage pathways as they exist today. Henry asked about traffic in that general area. Shaw reminded the Commission that a recent approval of a Facebook contractors' office area is directly west of this. Their entrance lines up with the south Facebook entrance. A traffic study was performed and it was determined that turning lanes would be needed. He discussed some of the findings regarding entrance spacing and traffic in regards to turn lanes. The 13 acres to the south on the north side of the interstate is also being served by this. They share an access point.

Dave Hanson (Signature Commercial Real Estate) owns the 13 acres to the south. He said they haven't seen this plan yet, as they were there for another item. They have had some contact with Shive Hattery. He would like to look at the access a little further with his own civil engineer.

Motion by Herbold-Swalwell, seconded by Moyna, for recommendation of the Site Plan for DSM Industrial LLC – Altoona Warehouse, subject to deficiencies.

Votes: Yes – Herbold-Swalwell, Moyna, Sloan, Pudenz, Henry, Chase. No – None. Abstain – None. Motion approved, 6-0-0.

7. Consideration and recommendation of the Site Plan approval for Quick Roofing.

Troy Weaver presented the request remotely. Henry asked about the two deficiency items. Weaver said Drew [no last name given], who was also on the Zoom call, has them. Drew stated they were working through the deficiency items. They would install the sidewalks on 8th and 25th Ave at a later date. A drainage ditch along 25th would be impeded by a sidewalk being installed. They don't want the water to drain onto 25th. They were working with the Fire Chief on the water main extension, which the City will be doing at a later date. Shaw explained that there are different phases of the 8th Street construction. This part will be replaced during a later phase. The ditch that is there will go away. They are required to put in a sidewalk now. The problem is that with the 8th Street construction, the sidewalk will be torn out and replaced again. It makes more sense to put it in one time, which will be three to five years down the road. Staff's recommendation would be for Council to wait and not waste the money.

Motion by Henry, seconded by Sloan, for recommendation of the Site Plan approval for Quick Roofing, subject to deficiencies.

Votes: Yes – Henry, Sloan, Pudenz, Moyna, Herbold-Swalwell, Chase. No – None. Abstain – None. Motion approved, 6-0-0.

8. Consideration and recommendation of the Preliminary Plat for Gateway East Business Center.

Eric Cannon (Snyder & Associates) presented the request. The site is located just off of Adventureland Drive. They were in front of the Commission a year ago for rezoning to allow flex space. The project consists of three buildings. The north building is approximately 130,000 square feet, the southwest building is approximately 80,000 square feet, and the southeast building is approximately 50,000 square feet. The two south buildings are split to allow for a center drive into the dock area. They want to drive the truck traffic to the center area, keeping it off of the east and west. He said there are still deficiency items regarding the berm and landscaping to the west. The neighbor is in full support of what they are doing. The applicant agrees with the deficiencies. Henry asked if there were any comments from the neighbors. Shaw said no. They are aware. Henry asked how these would look compared to those across the interstate on the Bondurant side. A rendering was shown. Henry asked about the truck traffic. Cannon stated that it does still allow the flexibility of warehouse space, so they do still have docks in the back. They don't know who the tenants will be yet, as they are still in the marketing phase. Cannon added that they are creating two lots. A rendering of the elevation was shown. Pudenz asked about the setbacks, stating they look close to the interstate. Cannon said that there was a detention basin and that they have a whole bay of parking on the north. They could be closer, but the drainage is an issue. Shaw pointed out that the one thing in the design that had changed was not having truck accessibility on the east side, close to the hotel. That movement doesn't work for trucks. This concept will push the trucks to the western two entrances.

Motion by Henry, seconded by Herbold-Swalwell, for recommendation of the Preliminary Plat for Gateway East Business Center, subject to deficiencies.

Votes: Yes – Henry, Herbold-Swalwell, Sloan, Pudenz, Moyna, Chase. No – None. Abstain – None. Motion approved, 6-0-0.

9. Consideration and recommendation of the Final Plat for Gateway East Business Center.

Eric Cannon (Snyder & Associates) presented the request with nothing further to add. Henry asked Shaw if he had any further comments before a motion. Shaw said no, other than legal documents.

Motion by Henry, seconded by Herbold-Swalwell, for recommendation of the Final Plat for Gateway East Business Center, subject to deficiencies.

Votes: Yes – Henry, Herbold-Swalwell, Sloan, Pudenz, Moyna, Chase. No – None. Abstain – None. Motion approved, 6-0-0.

10. Consideration and recommendation of the Site Plan for Gateway East Business Center.

Eric Cannon (Snyder & Associates) presented the request with nothing further to add. Shaw reiterated that there are three predetermined entry points. He said the southwest corner is a full crossover point in the development. The plan was shown again. He gave a history of access points with Linden Oaks.

Motion by Herbold-Swalwell, seconded by Moyna, for recommendation of the Site Plan for Gateway East Business Center, subject to deficiencies.

Votes: Yes – Herbold-Swalwell, Moyna, Sloan, Pudenz, Henry, Chase. No – None. Abstain – None. Motion approved, 6-0-0.

11. Consideration and recommendation of the Site Plan for Fire Training Pad.

John Shaw presented the request. He explained that the project is a three-story fire training facility for the Fire Department. The elevations were shown. The first phase is the grading, the pad, the water line running to the location, and the first story. It's like conex boxes stacked on top of one another, like a fireman's jungle gym. The second and third phases will be additional stories. They got good sized grants for a portion of it.

Steve Moyna left the meeting at 7:57pm before the vote.

Motion by Sloan, seconded by Pudenz, for recommendation of the Site Plan for Fire Training Pad.

Votes: Yes – Sloan, Pudenz, Henry, Herbold-Swalwell, Chase. No – None. Abstain – None. Motion approved, 5-0-0.

12. Minutes of the May 31, 2022 meeting.

Motion by Herbold-Swalwell, seconded by Sloan, to approve the minutes.

Votes: Yes – Herbold-Swalwell, Sloan, Pudenz, Henry, Chase. No - None. Abstain – None. Motion approved, 5-0-0.

13. Old/New Business

There will be an annexation to the northwest, north of facebook. Texas Roadhouse's permit has been issued.

Motion by Henry, seconded by Sloan, to adjourn.

Votes: Yes – Henry, Sloan, Pudenz, Narber, Herbold-Swalwell, Chase. No - None. Abstain – None.
Motion approved, 6-0-0.

Meeting adjourned at 8:00 p.m. Next regular meeting is July 26, 2022 at 6:30 p.m.

Respectfully submitted,
Jennifer Naylor
Office Assistant