

# ALTOONA PLANNING AND ZONING COMMISSION MEETING

October 25, 2022

Altoona City Hall

Members Present in Person: Jill Pudenz, Dan Narber, Scott Henry, Steve Moyna, Steve Chase

Members Present Virtually: None

Members Absent: Michelle Sloan, Erin Herbold-Swalwell

Staff: John Shaw, Jenn Naylor, Marina Smart, Natalie Jacobson

Guests: Meeting was held in a virtual Zoom format and in-person; In-person and online guests included Christian Jones, Tracy Bain, Laura Jacobs, Melvin Quinn, Branden Stubbs, Dave Stubbs, Josh Trygstad, Brent Culp, and others not signed in.

Chairperson Scott Henry called the meeting to order at 6:30 p.m.

**1. Roll Call.** Roll call was taken. Four commissioners were present at roll call. Jill Pudenz arrived at 6:32 p.m.

**2. Public hearing to consider a rezoning request to rezone 121 acres of the property located one-quarter of a mile north of the corner of NE 62nd Avenue and NE 56th Street from A-1, Agricultural to M-1, Limited Industrial.**

Christian Jones presented the request virtually. It is just north of the MidAmerican property with one full parcel owned by McNichols and the southern 40 of the Lemar Koethe property. It's a portion of one property, which is in the process of being split, and the McNichols property. They included a block plan in the packet for the Commission. They are proposing a data center use, which is in line with the Comp Plan.

Henry opened the public hearing. With no public comments, Henry closed the public hearing. Henry asked for any other comments. No comments.

Motion by Henry, seconded by Moyna, for recommendation a rezoning request to rezone 121 acres of the property located one-quarter of a mile north of the corner of NE 62nd Avenue and NE 56th Street from A-1, Agricultural to M-1, Limited Industrial.

Votes: Yes – Henry, Moyna, Pudenz, Narber, Chase. No – None. Abstain – None. Motion approved, 5-0-0.

**3. Public hearing to consider a request from Stubbs Development to amend the Altoona Comprehensive Plan Land Use Map to change the land use of the south portion of the Spring Creek Ridge West development (5.78 acres) from low-density residential to medium-density residential.**

Branden and Dave Stubbs (Stubbs Engineering) presented the request virtually. It is a townhome project. Henry asked if they would be attached or detached. Stubbs confirmed they'd be attached. A rendering was shown, and he explained that there would be 6-plexes to the west, transitioning to 5-and-4-plexes as they move along the cul-de-sac. Pudenz said that when they discussed the development to the north of this, a 30-foot front yard setback was discussed. She wondered if the townhomes along that north-south street should also have 30-foot front yard setbacks to align with the houses to the north. Shaw affirmed that the houses to the north did go with the 30-foot front yard setbacks and asked Stubbs if her meaning was clear. Stubbs understood and said they did that on the public streets for the single-family homes, but this is its own community. Pudenz asked if it was a private drive. Shaw said no, that it was a public street. Stubbs said that the townhomes are typically 20 to 25 feet from the right of way, and they're trying to put a nicer product in there. Pudenz said it would be nice to continue the visual through there. She asked if there

would be sidewalks. Stubbs affirmed there would be sidewalks inside the right-of-way. Henry asked Shaw if he had any thoughts on the setbacks. Shaw said Staff could go either way, but that Pudenz raised a good point. Pudenz stated it looked like there was plenty of depth on the lots. Henry asked who would be building the units, them or D.R. Horton or if it had been decided yet. Stubbs said it could be them, but due to timeframe, they couldn't commit one way or the other. Henry asked about deficiencies. Stubbs said they had no issues.

Henry opened the public hearing. With no public comments, Henry closed the public hearing. Henry asked for any other comments. No further comments were made.

Motion by Pudenz, seconded by Henry, for recommendation of request from Stubbs Development to amend the Altoona Comprehensive Plan Land Use Map to change the land use of the south portion of the Spring Creek Ridge West development (5.78 acres) from low-density residential to medium-density residential, subject to deficiencies and consideration or further discussion of a 30-foot front yard setback, adding it would help with visibility, as it is also a busy road and would give more time to come in and out of the driveway.

Votes: Yes – Pudenz, Henry, Narber, Moyna, Chase. No – None. Abstain – None. Motion approved, 5-0-0.

#### **4. Public hearing to consider a request from Stubbs Development to approve a development plan to allow medium-density residential development.**

Branden and Dave Stubbs (Stubbs Engineering) presented the request virtually with nothing further to add. With no further comments from Commissioners, Henry opened the public hearing. With no public comments, Henry closed the public hearing.

Motion by Pudenz, seconded by Henry, for recommendation of a request from Stubbs Development to approve a development plan to allow medium-density residential development, subject to deficiencies and consideration or further discussion of a 30-foot front yard setback, adding it would help with visibility, as it is also a busy road and would give more time to come in and out of the driveway.

Votes: Yes – Pudenz, Henry, Narber, Moyna, Chase. No – None. Abstain – None. Motion approved, 5-0-0.

#### **5. Consideration and recommendation of the Final Plat of the Clay Estates Plat 4.**

Josh Trygstad (Civil Design Advantage) presented the request. The development consists of 7.3 acres and they are proposing 20 single-family lots. It's an infill section of 3<sup>rd</sup> Avenue. They agree to the deficiencies, which will be wrapped up in the next few weeks. Henry asked if this was the last piece of ground to be developed. Shaw stated it was the last piece of Clay Estates. It finally makes the north-south connection for 3<sup>rd</sup>, which is important for everyone who goes to school at Clay Elementary. Trygstad added that there is a trail connection along 3<sup>rd</sup> and through the park. Henry asked if anyone in the public would like to address it. No further comments were made.

Motion by Pudenz, seconded by Narber, for recommendation of the Final Plat of the Clay Estates Plat 4, subject to deficiencies.

Votes: Yes – Pudenz, Narber, Henry, Moyna, Chase. No – None. Abstain – None. Motion approved, 5-0-0.

## 6. Consideration and recommendation of the I-80 Business Park Plat 2 – Preliminary Plat.

Brent Culp (Snyder & Associates) presented the request. The plat is approximately 60 acres. It incorporates Lots 9, 10, 11, and 12 of I-80 Business Park Plat 1. It is located south of 25<sup>th</sup> Street, west of 20<sup>th</sup> Avenue, and north of 21<sup>st</sup> Street. The site plan includes Lot 1. The development itself includes an extension of 21<sup>st</sup> Street on the south side. He explained the details of the extension and the sanitary sewer. The site plan for Lot 1 is approximately 17.5 acres. The building is 870 feet by 363 feet. He discussed access points. The landscaping plan was shown. He said because they are an M-1 and the neighbor to the west is an A-1, they provided a berm and a buffer. He discussed how they spent a lot of time designing the site to divert water from west to east, routing it around the site to minimize ponding not only on the site let alone the house. He discussed elevations and the detention basins. Podenz asked about the connection to Anderson. Culp said the next plat will. Henry asked if there would be a fence. Culp said no. Henry asked if there were trails by the warehouses. Shaw said on the north side, the sidewalk would be wider. Trails wrap around Facebook.

Henry opened the public hearing.

Tracy Bain (2435 593<sup>rd</sup> Trail, Albia, IA) spoke on behalf of her family, the property owner to the west, Renee Allen, at 6131 NE 62<sup>nd</sup> Avenue. Her first question was asked about the plans to address the drastic storm sewer and water runoff on the west property line, as the elevation has been raised. Culp explained that the storm sewer is stubbed right to the low point of the property. It's designed to take the storm water from the west to the east. In large storm sewer events, the water raises up and will overflow along the north side of the building itself on 25<sup>th</sup> Street. Shaw demonstrated on a map.

Bain asked what is being done now, as the current elevation has been raised five feet above their house level. There is nothing there at the moment. They've had issues with flooding on their property and sediment backup and septic. If this addresses the future, what are they doing now?

Henry asked Shaw if the City has caused any of her issues or if it's just an extremely flat area. Shaw explained that the current property owner has done some things that have impacted the neighbor. Bain asked if there were any permits for those things. Shaw said no and explained that it has been brought to the property owner's attention, trying to get them to stop what they've been doing, and correct what they've done. The property is in the process of being sold. Staff has communicated with the purchaser the issues and that steps should be taken to immediately alleviate the sump location. Henry stated that the hope is that in the future the issues should be fixed, but in the meantime there is nothing the Commission can do about the current owner.

Bain asked about a fence. Henry said it was stated it would be a berm. Bain asked about the drainage. Culp reiterated the storm drainage plan. Discussion was held about the elevations of the properties. Bain discussed how the elevations do not allow the water to flow correctly on the property. She asked about responsibility for the provisions of the storm water drainage, as the City of Altoona is listed on the plat. She asked if that was what was currently being done. Shaw said sure. They are connecting to the City storm sewer system. Bain asked if it was the City's responsibility the past two years. Shaw affirmed. Bain asked about progress on that. Shaw said as she knows, they have a person who owns the property, who has been dumping on the site, filling in the site, doing activities that are not permitted. Cease and desist letters have been sent with directives to remove the materials. This is in progress working toward that end. He stated the land is higher there now than it was before. Bain stated that the agreement said it had to be restored to the previous condition of the land. Shaw affirmed and stated it is not there. He said these plans would alleviate the drainage issues she is having. In the interim, they have made the purchaser aware that a low spot has been created due to the fill there at the property line, which impedes drainage. They need to create a swale to alleviate that first thing. The current property owner also understands that. There is a process the City must follow in order to get that remedied through the court system. They are working toward that. Bain asked about the trail location being in front of their property. Shaw stated that eventually

it will be located there. If in the future, the City chose to extend the trail through there, there is a process by which they would be notified and discuss the plans.

Henry asked if there were any other concerns or questions. There were none.

Motion by Henry, seconded by Pudenz, for recommendation of the I-80 Business Park Plat 2 – Preliminary Plat.

Votes: Yes – Henry, Pudenz, Narber, Moyna, Chase. No – None. Abstain – None. Motion approved, 5-0-0.

## **7. Consideration and recommendation of the I-80 Business Park Plat 2 – Final Plat.**

Brent Culp (Snyder & Associates) presented the request. He showed the final plat, pointing out outlots and drainage. Henry asked if the Commissioners had further questions.

Tracy Bain (2435 593<sup>rd</sup> Trail, Albia, IA) said she didn't think the final plat was drawn accurately, particularly the western edge. Shaw showed her where her property line was located. She was mistaken about where she thought the property line was and apologized.

Motion by Chase, seconded by Moyna, for recommendation of the I-80 Business Park Plat 2 – Final Plat, subject to deficiencies.

Votes: Yes – Chase, Moyna, Pudenz, Narber, Henry. No – None. Abstain – None. Motion approved, 5-0-0.

## **8. Consideration and recommendation of the I-80 Business Park Plat 2 – Site Plan.**

Brent Culp (Snyder & Associates) presented the request. Elevations were shown. Henry asked if it was all spec space. Culp stated he believed they had a person for the whole thing. Henry asked if Shaw wanted to address anything else. Shaw discussed the ponds and drainage.

Motion by Henry, seconded by Chase, for recommendation of the I-80 Business Park Plat 2 – Site Plan, subject to deficiencies.

Votes: Yes – Henry, Chase, Pudenz, Narber, Moyna. No – None. Abstain – None. Motion approved, 5-0-0.

## **9. Consideration and recommendation of an amendment to the Altoona Urban Renewal Plan.**

John Shaw explained that on the last agenda, the City Attorney was not happy with how exactly it was approved. He advised moving approval using the language on the agenda.

Motion by Henry, seconded by Moyna, to approve that the amendment is in conformance with the Comprehensive Plan.

Votes: Yes – Henry, Moyna, Pudenz, Narber, Chase. No – None. Abstain – None. Motion approved, 5-0-0.

## **10. Minutes of the September 27, 2022 meeting.**

Motion by Pudenz, seconded by Moyna, to approve the minutes.

Votes: Yes – Pudenz, Moyna, Henry, Chase. No – None. Abstain – Narber. Motion approved, 4-0-1.

## **Old/New Business**

Shaw gave updates on an RFP for a Comprehensive Plan Amendment for the northwest area expansion. There are annexations on the east side of town, including lands west and east of Spring Creek Sports Complex, the Complex itself, and land south of Tuscany. He also gave an update on Olde Town projects, including opening things up with a mini-plaza, possibilities with the Haines house in conjunction with the Historical Society, purchasing and developing the lot where the old hotel sits, and potential projects with the elevators.

Motion by Henry, seconded by Pudenz, to adjourn.

Votes: Yes – Henry, Pudenz, Narber, Moyna, Chase. No – None. Abstain – None. Motion approved, 5-0-0.

Meeting adjourned at 7:29 p.m. Next regular meeting is November 29, 2022 at 6:30 p.m.

Respectfully submitted,  
Jennifer Naylor  
Office Assistant