

ALTOONA PLANNING AND ZONING COMMISSION MEETING

December 20, 2022

Altoona City Hall

Members Present in Person: Michelle Sloan, Jill Pudenz, Scott Henry, Steve Moyna, Steve Chase,

Members Present Virtually: None

Members Absent: Dan Narber, 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 Lemar Koethe, Eric Berkey, Michelle Anderson, Dan Hobbs, J.R. Rogerson, 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 6:31.

2. Public hearing to consider a request from Cheryl Laird-Humphrey-Rist, the owner, and Berkey Home Builders, the purchaser, to amend the Altoona Comprehensive Plan Land Use Map to change the land use of the 5.38 acres of land located directly south of Edwin Skinner Parkway SE, approximately 250 feet east of the intersection of Edwin Skinner Parkway SE and 1st Avenue SE, from C-2 (General Commercial) to R-5 (PUD) to allow a townhome development.

Eric Cannon (Snyder & Associates) presented the request. He explained they are proposing a PUD to allow for rowhouse townhome units on the eastern portion of the property. They would be postage stamp lots and an outlot. The greenspace would be owned by the association. He said Staff felt leaving Lot 32 on the corner zoned C-2 was appropriate and rezoning the eastern portion. The project also includes the pond developed with Laird Estates duplex development just to the east. It is transitional from single family to the duplex units to the east to these rowhouse units to commercial. He explained there are 30 units with guest parking proposed, about which they went back and forth with Staff, and he reminded the Commission that there is no code requirement for guest parking. There are already two parking stalls in the driveway and two in the garage. There's a connection to the west onto the private drive north of Altoona Smiles. They are aligning the private drive on the north with the daycare to the north. Cannon said Staff recommended the loss of Lots 21, 20, and 30 for parking interior to the development. They updated the plan to provide for some additional parking and reiterated there is no code requirement for guest parking. He said they do feel that providing it is a benefit and pointed out that other developments around town do not provide guest parking. He said Eric Berkey was online to answer any questions as well.

Shaw explained the three separate agenda items. Pudenz asked about plans for Lot 32. Cannon said there is interest in the lot but nothing is proposed with this development. Henry asked it was larger than the dental office lot. Shaw affirmed. Henry asked about the side lots against the roads. Shaw said on Lots 21, 22, and 30, from the back of the curb to the edge of the units is about 15 feet. Henry asked what they normally like to see. Shaw said normal setbacks for single-family is 30 feet. Spatially, this is not comparable to single-family, or even to the Berkey duplexes across the pond. Moyna asked if this were the first of its kind in Altoona. Shaw said he didn't think there was anything as tight as this in town. Moyna asked if anything else in the metro was similar. Cannon said Blue Ridge Commons was comparable. He said on these, the front is 22 feet to allow for a car. Henry asked about buffering between the residential and commercial areas. Cannon stated the for the dental office, Code required a berm, and there's currently a ditch with a culvert. He said they discussed working with Iowa Smiles for additional landscaping. The folks to the south need a secondary access, from a fire standpoint. The lot to the north is commercial. Since residential is going in first, the commercial lot would be required to install the buffer. Henry asked about the size of these units compared to those to the east. Cannon stated they are similar in size. The other ones are duplexes that are a little different in

character. The square footage is similar and maybe a tad smaller, because they have the garages in front. They are a two-story product.

Michelle Anderson (2616 3rd Ave SE) spoke up from the audience and asked how many square feet they were. Cannon said he thought they were 1,200 square feet. Anderson said she lives in one of the Berkey townhomes, and it's 2,400. Cannon asked if she was talking about total finished square feet on both stories. Anderson affirmed. Cannon said this was on the first floor, so it would be something similar to what she has if you consider both stories. Anderson said it sounded like they'd be much smaller based on the housing units being built. Cannon said they are at the zoning stage, so he didn't have specifics. Those would come with the site plan.

Pudenz asked if the lots that back up to the pond have a setback. Cannon said the physical property line is on the east side of the pond, so the setback is 177 feet. Pudenz asked if there were any concerns with the grading back there by the pond. Cannon explained when the pond was dug, it was dug to generate dirt for the Laird Estates development. It's grossly oversized from a storm water standpoint. He said it's likely they'll massage the western edge of the pond to get everything to work. They don't discount the fact that it is extremely tight. The developer is also the builder, and he fully understands the limitations of the property. The pond provides a pretty substantial buffer between the property to the east. They will not be backing up to them directly like what would happen in other developments. Pudenz stated she was more concerned with the relationship to the pond itself, stating that the map looks like the units are drawn in the pond. Cannon said the pond was never really finished down there. There's a storm sewer from Altoona Smiles that goes in there. They'll have to clean that area up as part of the site plan. There are patios, not elevated decks, at the rear of the units. Pudenz asked if they were no basement, two-story units. Cannon said at this point, Berkey wants to present them as slab-on-grade, as the sewer through the area is pretty shallow. Until they set into the detailed design, they don't know if they can have basements.

Henry asked if there were further questions and then opened the public hearing.

Michelle Anderson (2616 3rd Ave SE) said she was part of the senior living community in Laird Estates. She asked if the homes being built directly behind her were going to be family residential or what kind of homes they were rather than townhomes. Henry stated they were family residential townhomes. Anderson asked again if they were family residential, emphasizing family. Henry affirmed. Anderson said that because she knows the homes are going to be smaller, she asked if it were going to be a family with seven kids or a family with two kids. Henry said they had no idea. Anderson said that that would run into some pretty significant issues if its overpopulated based on the number of sizes. Henry said they don't control that. Anderson said her concern was depending on the type of home that is built, it could potentially give her residence a negative impact based on property value.

Dan Hobbs (2414 3rd Ave SE) lives in Laird Estates. He asked how many feet would be massaged on the pond. He asked how many bedrooms they would have. Cannon asked Berkey and said three bedrooms. Henry asked Shaw if there were any concerns with the pond. Shaw said the southwest corner of it wasn't within the easement area. They will need to provide a site plan with detailed drawings. They'll look at how the western shoreline is graded and massaged. It would be an improvement to push it further away from the units. There is about 15 feet from the edge of the patio to the edge of the water. Pudenz asked if some of that was grade change. Shaw affirmed what they were showing was about a three-and-a-half-foot drop. Pudenz asked about the minimum distance requirement from the patio to the pond. Cannon said there was 15 feet in the patio area and another 15 feet to the pond. He said ideally you'd want 15 to 20 feet to give room to mow. They'll go through the storm water calcs during the site planning process. He stated they don't want anything that doesn't work.

Michelle Anderson (2616 3rd Ave SE) said in the past, they have used the pond water to irrigate the lawns. If there are units built on the other side, she asked if those units will also be trying to take the water from the pond to irrigate. She also asked if it would be the same association or different associations.

Shaw said it'd probably be a separate association. The question regarding watering is a good one. Pudenz asked whose pond it was. Shaw said its private property. It'll be part of the association, but who is using it and how and who is responsible for long-term maintenance will have to be determined.

With no further public comments, Henry closed the public hearing. Henry asked for any other questions. Pudenz asked if they had looked at any other layouts to see if anything else could work. Cannon said this was the most equitable and marketable layout they could find. He explained they originally had the street going straight north but lost a unit so they could accommodate lining up with the daycare driveway.

J.R. Rogerson (2518 3rd Ave SE) asked if these would be owner-occupied or rentals. Cannon said they were proposed to be for sale. Rogerson asked if they would be over-55 units. Cannon said they would be market rate with no age restriction. Henry asked Shaw if the PUD ties their hands. Shaw said a PUD says there will be so many units per acre as laid out, as presented. The density and setbacks would be approved tonight. Cannon said this is the layout they will be moving forward, assuming the zoning is approved. They didn't want to spend all the money on the design drawings if the design wasn't supported. What you see is what you'll get. Shaw reiterated the difference in the three agenda items. Pudenz expressed the desire to see more details before they approve it. Henry said they have the details. What they see is what is coming. Pudenz said she doesn't like the way the pond is laid out and said that they said they'll massage it, but she wants to see how they'll massage it. Cannon reiterated all they are asking for at this point is if residential can go there. Full design details would have to be reviewed and approved later. They will not be coming in with a whole different unit. Utilities and grading has not been looked at yet. Those details traditionally accompany a site plan, which is the next step.

Motion by Chase, seconded by Moyna, for recommendation of a request from Cheryl Laird-Humphrey-Rist, the owner, and Berkey Home Builders, the purchaser, to amend the Altoona Comprehensive Plan Land Use Map to change the land use of the 5.38 acres of land located directly south of Edwin Skinner Parkway SE, approximately 250 feet east of the intersection of Edwin Skinner Parkway SE and 1st Avenue SE, from C-2 (General Commercial) to R-5 (PUD) to allow a townhome development.

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

3. Public hearing of the rezoning request from Cheryl Laird-Humphrey-Rist, the owner, and Berkey Home Builders, the purchaser, to rezone 5.38 acres, located directly south of Edwin Skinner Parkway SE, approximately 250 feet east of the intersection of Edwin Skinner Parkway SE and 1st Avenue SE from C-2, General Commercial to R-5, Planned Unit Development to develop the land with medium-density residential townhomes.

Eric Cannon (Snyder & Associates) presented the request with nothing further to add.

Henry opened the public hearing. With no comments, Henry closed the public hearing.

Pudenz asked if this is where the stipulations of the PUD were approved. Shaw affirmed. Pudenz asked about sidewalks. A rendering was shown. Henry asked where the road to the south went. Shaw explained the interconnection with the properties to the south. Pudenz asked how sidewalks were tied into 1st Avenue. Shaw said they were not proposing sidewalks. Pudenz asked how children walking to school would get there. Cannon said they'd go up to Skinner Parkway to the signal at the intersection. Pudenz

stated they won't do that. She said she has concerns with the sidewalks and the tight relationship of the pond to the back yards. She felt residential is appropriate in there but was looking for a way to put stipulations on it to make it work. She asked if they could change the orientation. Cannon said in every other community they've worked in, they have been allowed a 20-foot separation from the back of curb to the unit. Staff said they wanted to see 22 feet, so the units are pushed back further than they traditionally would. If you push them further away, they get closer to the pond. He said if you want them to pull them in tighter, they are happy to, but Staff's concern was big pickup trucks hanging over sidewalks or curbs. He reiterated again that they will have to come back with all of the details about grading and storm water calcs. It is only a concept at this point. He said he hears their concerns. They'll look to provide more separation from the pond edge to the patios. They want to make sure the layout works from a density standpoint and the connectivity to the north works. Pudenz asked if it lines up to the south as well. Shaw said the site plan for that was approved previously, and it lines up, but it hasn't been built yet. He asked Pudenz about her concerns. Pudenz said her concerns were the sidewalk to 1st Avenue and the relationship of back of the patio to the water. Shaw asked if they could make the pond narrower. Cannon said the pond is out of the easement in the southwest corner and was built too big to begin with. There is excess capacity in the pond. He said he thinks they have the ability, but they have not done the detailed storm water calcs, because they didn't know if they could even do residential in there. If they can't get the pond to work or if the Commission doesn't like the site plan, the project doesn't move forward. Pudenz asked if the 177-foot detention easement is the hard line and will be unchanging. Cannon said it was platted with Laird Estates Plats 1 and 2, and they are not proposing to change that line, which is why the back of the postage stamp lots are at that line. He said another option was to go to smaller units, but people are not interested in that. They are trying to find the balance. Pudenz asked about rotating them so they were wider rather than deeper and possibly losing two or three units. Cannon said they'd have to go to a smaller unit to shrink it down and get reduced depth in there. He said they'd lose more than two or three; they'd lose several. Pudenz asked about the 30-foot setback. Shaw discussed how the traditional single-family setbacks don't completely apply to postage stamp lots. Henry asked if deficiencies should be addressed with this item or the third item. Shaw stated it is most appropriate with the PUD.

Motion by Pudenz for recommendation of the rezoning request from Cheryl Laird-Humphrey-Rist, the owner, and Berkey Home Builders, the purchaser, to rezone 5.38 acres, located directly south of Edwin Skinner Parkway SE, approximately 250 feet east of the intersection of Edwin Skinner Parkway SE and 1st Avenue SE from C-2, General Commercial to R-5, Planned Unit Development to develop the land with medium-density residential townhomes, with the stipulation of a rear yard setback 30 feet from the detention easement.

Cannon stated that that would be an additional 15 feet that would have to be taken out of the units. Pudenz asked if the detention easement could be revised. Shaw affirmed. Henry asked if she was telling them to skinny the pond or skinny the house. Pudenz responded whichever works.

No one seconded. Motion died.

Motion by Chase, seconded by Moyna, for recommendation of the rezoning request from Cheryl Laird-Humphrey-Rist, the owner, and Berkey Home Builders, the purchaser, to rezone 5.38 acres, located directly south of Edwin Skinner Parkway SE, approximately 250 feet east of the intersection of Edwin Skinner Parkway SE and 1st Avenue SE from C-2, General Commercial to R-5, Planned Unit Development to develop the land with medium-density residential townhomes.

Votes: Yes – Chase, Moyna, Sloan. No – Pudenz, Henry. Abstain – None. Motion approved, 3-2-0.

4. Public hearing of the development plan approval request from Cheryl Laird-Humphrey-Rist, the owner, and Berkey Home Builders, the purchaser, for the 5.38 acres of property located land located directly south of Edwin Skinner Parkway SE, approximately 250 feet east of the

intersection of Edwin Skinner Parkway SE and 1st Avenue SE to allow a townhome development.

Eric Cannon (Snyder & Associates) presented the request with nothing further to add.

Henry opened the public hearing.

John Sodey (2406 3rd Ave SE) encouraged visiting the site personally and to look at what they are proposing. He said they are trying to put a lot of homes into a very small area compared to 3rd Avenue SE. He expressed concern about the aesthetics of changing the pond and the property values of the homeowners on 3rd Avenue SE. He hoped that all of the new units would be a separate Home Owners Association, because putting that many new homes into an existing HOA could put a greater burden on their finances in terms of snow removal, yard maintenance, and irrigation. Cannon stated it would be a new HOA.

Dan Hobbs (2414 3rd Ave SE) said when they purchased their townhomes, someone saw fit to make it an over-55 community on 3rd. They were told that the land would be businesses. There's a dentist there already, and maybe it would be a doctor's office. There wouldn't be activity there after business hours. He said it is not turning out like it was presented. They have an over-55 street they moved into, thinking it would be kind of quiet and secluded. Now they're putting a playground in on the other side of the pond and taking part of the pond off. They are going to have children running all over throwing stuff in their pond in their backyards and he was upset. He said the City already said it was okay for it to be an over-55 community, and now they are building something that's not even close to where they are at right now, right next to the over-55 community.

Pudenz asked if there was discussion about making this a 55-plus neighborhood. Cannon said he didn't believe so, but he could ask Eric, who was online. Pudenz said she would feel better about it, too, as there wouldn't be kids right next to the pond. Cannon said from a demographic standpoint, in these types of units there are typically older folks who don't want to maintain a yard or young professionals who don't have kids, as there isn't space for kids. Young families want yards and playgrounds and swing sets and space. He said you don't want to limit a young professional from moving in there any more than you'd want to limit someone who is older.

Michelle Anderson (2616 3rd Ave SE) said that earlier in the discussion they were talking about how children would be in these townhomes. Cannon stated that he never said that. Anderson said no, but there were going to be people moving into this new development who would have children. She said someone said they would be three bedroom homes, which would imply that they are going to have more than one child. To her, that has an impact on their development.

Eric Berkey wanted to address a couple of comments. He said the pond creates a separation and helps the transition between the young professionals and the 55 and over community. He said thought went into what should be done with the piece of ground. The 30 units are isolated between the commercial and the pond.

With no further comments, Henry closed the public hearing.

Motion by Chase, seconded by Moyna, for recommendation of the development plan approval request from Cheryl Laird-Humphrey-Rist, the owner, and Berkey Home Builders, the purchaser, for the 5.38 acres of property located land located directly south of Edwin Skinner Parkway SE, approximately 250 feet east of the intersection of Edwin Skinner Parkway SE and 1st Avenue SE to allow a townhome development, subject to deficiencies.

Votes: Yes – Chase, Moyna, Sloan. No – Pudenz, Henry. Abstain – None. Motion approved, 3-2-0.

5. Public hearing of the rezoning request from Lemar Koethe to rezone 78.36 acres, located north of 20th Avenue NW and west of Franklin Street SW, from A-1, Agricultural to M-1, Limited Industrial.

Lemar Koethe, owner of the property, presented the request. Henry asked Shaw if they were just looking at the rezoning. Shaw affirmed. He said the applicant has provided the general layout and concept of how they want to develop the property. Renderings were shown. He said it is also a good time to talk about how services will be provided to neighboring properties when this is developed. Feedback with a list of items to be fleshed out for site plan and platting has been given as part of the process. Henry asked if everything approved out there lately is M-1. Shaw affirmed. Pudenz asked about the north side of the property in regards to the city limits. A map was shown. Shaw discussed access to Franklin Ave and working with residential property owners to move the access north to a signalized intersection, which is better for the truck traffic.

Henry opened the public hearing. With no comments, Henry closed the public hearing.

Motion by Henry, seconded by Moyna, for recommendation of the rezoning request from Lemar Koethe to rezone 78.36 acres, located north of 20th Avenue NW and west of Franklin Street SW, from A-1, Agricultural to M-1, Limited Industrial.

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

6. Minutes of the November 29, 2022 meeting.

Motion by Henry, seconded by Chase, to approve the minutes.

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

Old/New Business

Shaw gave updates on an annexation that was accepted. Henry said Texas Roadhouse is open. Sloan said Texas Roadhouse gave the teachers at Willowbrook Elementary free meals. She also asked if Jolly Holiday Lights would be moving, as she had heard that rumor. Shaw stated he hadn't heard anything. He addressed again the 46 acres north of Walmart, across from Adventureland and how the City has hired a consultant to come up with a concept to make the area more developable, including re-routing traffic.

Motion by Henry, seconded by Sloan, to adjourn.

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

Meeting adjourned at 7:50 p.m. Next regular meeting is January 31, 2023 at 6:30 p.m.

Respectfully submitted,
Jennifer Naylor
Office Assistant