

## **Altoona Board of Adjustment Hearing – November 11, 2014 – 6:30 PM**

Altoona City Hall

Members Present – Dale Sikes, John Rullman, Doug Teuber, Robert Hall, Lea Morris

Members absent – None

Staff Present – John Shaw, Chad Quick, Susi Hoots

Others Present – Jerry Oliver, Brad Skinner, Ed Skinner, Ken Dales, Lois Dales, Wes Enos

Chairman Rullman called hearing to order.

#1 Public hearing to consider a request for a conditional use permit from Adventure Lands of America, Inc. for property at 443 34<sup>th</sup> Avenue SW. They are proposing to use the property for a gravel parking lot through December 2016.

Ed Skinner, Skinner Law Offices PC, 160 Adventureland Drive NW, Ste B, Altoona, Iowa, presented the request by explaining the gravel parking lot is south of the present water park feature. Skinner said that use of the parking area in the past was not done without city knowledge and apologized for being unavailable for the August 5, 2014 hearing. Skinner expounded on his history with Adventure Lands of America Inc., (hereafter referred to as “Adventureland”) and the history of the land currently occupied by Adventureland. Skinner stated the land has problems with storm water runoff as water comes from Interstate 80, from 34<sup>th</sup> Avenue SW, and from Prairie Meadows through the Adventureland site, but they are, and will continue to work with public entities on the water issue as it is not part of these proceedings. Mr. Skinner stated the site in question previously contained a house and solid concrete and was more impermeable than a gravel surface. Mr. Skinner said future use of the area is between Adventureland and the city.

Rullman stated it is understood the storm water issues will be handled by city staff, but could Mr. Skinner speak to how far Adventure Lands will expand. Skinner pointed out that Adventureland has no power of condemnation or eminent domain and it is dependent upon the neighbors and private negotiations, but permanent parking in this area does not fit into any plan. Skinner said he wanted to make public that neighbors with a property appraisal will be paid 110% of appraised value for their property.

Rullman said that Adventureland Park has a parking issue now, before any expansion. Skinner said the park has ground to expand employee parking next to Prairie Meadows and there has been discussion with Prairie Meadows for access.

Morris asked if the parking lot in question would be used only April through September.

Skinner said that is correct, although there are some year-round employees, those year-round employees park nearer the office.

Sikes asked to clarify that the area in question is not and will not be a paved area, but gravel.

Skinner said that yes it is only a temporary gravel parking area. Skinner continued by saying the water feature has proven to be more popular and is a “gem” and the ability to grow the water feature is much greater than when it was started so it will be expanded into this area.

Sikes mentioned that two or three years ago Adventureland came before this Board to expand the water park and noise was an issue. Skinner: “yes”. Sikes said he believes the noise level is less than it used to be due to measures enacted at that time. Rullman agreed.

Ken Dales, 523 31<sup>st</sup> Avenue SW, Altoona, Iowa, addressed the Board to say he has no argument with noise from the water feature as it is not as loud as the Outlaw Gulch feature. Dales said his biggest concern is traffic on 31<sup>st</sup> Avenue SW as the street is coming apart and it is impossible to make a left turn from 31<sup>st</sup> Avenue SW onto 8<sup>th</sup> Street, especially during morning and evening rush hours. Sikes explained that this vote does not deal with any additional traffic on 31<sup>st</sup> Avenue SW as all access for the subject parking lot is from 34<sup>th</sup> Avenue SW.

Jerry Oliver, Civil Engineering Consultants, 2400 86<sup>th</sup> Street, Unit 12, Urbandale, Iowa, addressed the Board to say Adventureland has purchased a house at the north end of 31<sup>st</sup> Avenue SW, but Adventurelands' position is that any traffic on 31<sup>st</sup> Avenue SW is off-limits. Adventureland will try to connect to Prairie Meadows Drive and would like discussion to take place between the city and Prairie Meadows. Shaw said the city and Prairie Meadows have an agreement regarding maintenance of the public street, Prairie Meadows Drive, and there is on-going discussion.

Wes Enos, 501 34<sup>th</sup> Avenue SW, Altoona, Iowa, addressed the Board to say that water drainage with the graveled area is better than it has been for twenty years or so. Enos said dust from the gravel area is from kids spinning out their tires after work, etc. and there is trash thrown over the fence, but that type of thing just happens with kids. Enos said his concern is what happens in two years as he is not interested in selling his property. Skinner responded by saying they hope to entertain an offer to buy the Enos property as it is an integral part of the plan

Sikes asked: What happens to the area in question in two years? Oliver responded that Adventureland could ask for an extension of this conditional use, or they could go through the appropriate process to ask the city to approve a paved parking lot, or they could go through the appropriate process with the city to extend the park, or they could just stop using the area.

Rullman asked if a milling-type surface had been considered and noted that the site sits lower than 34<sup>th</sup> Avenue SW.

Hall asked how many cars would be on the lot and reiterated Rullman's comment addressing the lower elevation of this lot from 34<sup>th</sup> Avenue SW and asked about driving up and out of the lot onto 34<sup>th</sup> Avenue. Oliver responded there is room for 60 cars and the area is for use by employees who work at the nearby water park. It was noted the water park closes earlier in the day than the rest of Adventureland and has a shorter season. Oliver, Shaw, and Quick indicated they were not aware of any accidents in this location.

**Sikes moved to approve the Conditional Use Permit. Seconded by Morris. Vote: Yes – Sikes, Morris, Teuber, Hall, Rullman. No – None. Conditional Use Permit granted.**

**#2. Sikes moved to approve the minutes of the October 7, 2014 hearing as presented. Seconded by Teuber. Vote: Yes – Sikes, Teuber, Hall, Rullman. No – None. Pass – Morris.**

**#3. Next meeting/hearing will be Tuesday, December 2, 2014 at 6:30 p.m.**

Hearing Adjourned at 7:04 p.m.

Respectfully submitted,  
Susie Hoots  
Community Services Administrative Assistant