

**ALTOONA PLANNING AND ZONING COMMISSION MEETING**  
**July 31, 2007 -6:30 PM**  
**Altoona City Hall**

Members Present – Allison Hay, Dennis Keller, Jerry Nolin, Jeda Blanchard, Scott Henry, Anne Lohmeier and Dan Narber.

Members Absent – None.

Staff – John Shaw, Chad Quick

Guests – Bill Ludwig and Curt Stemsrud (William J. Ludwig and Associates), Jeff Hove, Jan Hendrickson, Councilman Joe Riding, Councilwoman Michelle Sloan, Steve Tripp, Bart Turk, Dave Evans, Justin Kamman, Trevor Kooker, Andy and Anna Long, Dan and Suzy Wilson, Vanessa Hoffert, Jose Barboza, Max Kenkel, Kirstin Ehm, Bret Bail and others not signing in.

Chairman Nolin called the meeting to order at 6:30 p.m. Roll call was taken with all members present.

#1 Public Hearing, consideration and recommendation of a comprehensive land use map amendment of 6.34 acres from medium density residential to commercial (shown as parcels A, B and C on Andrew's Acres III Development Plan dated 7-31-07). Bill Ludwig, William J. Ludwig and Associates, presented the updated plans for the development. He said the commercial buildings will be one-story in height. Garth Jones, 902 8<sup>th</sup> Avenue NW, said he was not notified of a neighborhood meeting, is also concerned about the 35-foot height limit on the one-story buildings. Justin Kamman, 805 10<sup>th</sup> Street NW, said he is confused about why someone would purchase this ground and then try to rezone. Ludwig addressed stating that the residential densities are not much different than are currently in place. Keller said he did not think it was legal to have a driveway off a cul-de-sac off a cul-de-sac. After some discussion, Ludwig said they would agree in writing to construct a street with neighboring developers to the east with two future street connections coming back to the west into this development.

Ludwig then went on to discuss the rest of the plan for the area. He showed the cul-de-sac now on 9<sup>th</sup> Avenue NW. John Shaw said the request for swapping or vacating park ground would have to be approved by Council. He then addressed the current changes from the last proposed plan. Shaw addressed City concerns about the length and access off of cul-de-sacs. Shaw said that we, staff, have concerns about access back to the east and that these may be driveway accesses rather than streets. Ludwig said they would provide a letter. Keller said it should just be a looped street up 5<sup>th</sup> Avenue NW then access back to the east in two places. Shaw stated his concerns on 9<sup>th</sup> Avenue (high density and driving through low density). Steve Tripp, 1016 9<sup>th</sup> Avenue NW, said the neighbors liked the cul-de-sac but still want the housing at the dead-end to be low density, not the high density as proposed. Ludwig countered, stating in the meeting they had with some neighbors, that the neighbors said they wanted the cul-de-sac and would be okay with the same number of units existing onto the cul-de-sac as was presently shown on that plan. That is what this current plan shows. Tripp said they feel like they are already giving up a lot with anything up there. Brad Pellegrino, 813 Greenbreeze Circle, said that part of what Ludwig said is true. However, they felt the overall density in the same area would not increase and it has. He has gone from single-family homes to an apartment in his back yard. Jeff Hove, 1024 9<sup>th</sup> Avenue NW, said the density has increased and now the cul-de-sac guarantees the traffic. Garth Jones said they would like the condominiums/townhomes, to be two-story building not

three-story. Ludwig said the three-story is similar to what is going up in other cities. Keller said they should go two-story next to street on Parcel H. Ludwig addressed Parcel I and the outlots for park and detention space. Shaw noted that vacating or swapping park ground will have to be procedurally taken care of by City Council prior to approval of the development plan. A neighbor asked why we would build more townhomes when townhomes on 8<sup>th</sup> Avenue NW and 17<sup>th</sup> Avenue SW are sitting empty. Shaw addressed the needs for planning over the long term and the mixture of housing types and needs of those types of housing. Lohmeier thanked Shaw for those comments. She continued to say that plans and things do change over time. She said that she wants to be cognizant of transitions. The same neighbor said a transition to three stories is difficult, two-story would be better.

In regards to the commercial ground, Henry asked if a motion was made – is it contingent on the east road. Henry made a comment that if the last plan would have had the street on the east, he could have supported the last plan. They will have to have 50-feet on west of Parcel A, if approved (required setback). Keller said his opinion is that Parcels A-C should be residential. After discussion, a road coming up the east property line with two accesses, will come back before P&Z next meeting. Lohmeier said a consideration needs to be made for two-story next to existing residential units.

Henry moved to table. Seconded by Blanchard. Votes: Yes – Henry, Blanchard, Hay, Narber, Lohmeier, Keller, Nolin; No – None. Motion approved 7-0.

#2 Public Hearing, consideration and recommendation of a rezoning request of 6.34 acres from R-5 (PUD) to C-5 (Office Park) (shown as parcels A, B and C on Andrew's Acres III Development Plan dated 7-31-07).

Lohmeier moved to table items 2-7. Seconded by Blanchard. Votes: Yes – Lohmeier, Blanchard, Henry, Narber, Hay, Keller, Nolin; No – None. Motion approved 7-0.

#3 Public Hearing, consideration and recommendation of a comprehensive land use map amendment of 10.00 acres from low, medium and high density residential to high density residential (shown as parcels D, E, F and G on Andrew's Acres III Development Plan dated 7-31-07).

#4 Public Hearing, consideration and recommendation of a comprehensive land use map amendment of 2.99 acres from low density residential to high density (shown as parcel H on Andrew's Acres III Development Plan dated 7-31-07).

#5 Public Hearing, consideration and recommendation of a comprehensive land use map amendment of 5.63 acres from medium and high density residential to high density residential (shown as parcel J on Andrew's Acres III Development Plan dated 7-31-2007).

#6 Public Hearing, consideration and recommendation of a comprehensive land use map amendment of 1.99 acres from low and high density residential to open space (shown as parcel I and Outlots Y and Z on Andrew's Acres III Development Plan dated 7-31-2007).

#7 Public Hearing, consideration and recommendation of a development plan called Andrew's Acres III, consisting of 1.99 acres of open space, approximately 8.62 acres at 16 dwelling units per acre and approximately 10.00 acres at up to 20 units per acre. Densities are figured in net acres, not gross acres.

#8 Public Hearing, consideration and recommendation of a comprehensive land use map amendment request from F&S Rosenberger, LLC to change 15.78 acres from Office/Financial to Commercial. Bill Ludwig, William J. Ludwig and Associates, presented the plan and talked about the plans for the site. The request is to rezone about 16 acres to C-2 to match the rest of the ground in the immediate area, south of Adventureland Drive. Nolin said they have proposed some exclusions and he read them. Keller said he would like to add nightclubs and taverns. Shaw laid out the history of the property and that the north ¼ is already zoned C-2, this property, the southern ¾ is zoned C-5.

Don Wilson, 209 11<sup>th</sup> Street NW, submitted a petition signed by 26 neighboring families requesting that the rezoning be stopped. Rick Ball, representing LADCO and F&S Rosenberger, said they want this to be a very nice area with tiered ponds, and make Parcel C (existing pond) a wet basin and clean it up. He said it would have nice lighting, but with light levels that would not infringe. Susi Wilson, 209 11<sup>th</sup> Street NW, said she is concerned about the reduced buffers allowed in C-2 versus C-5 zoning districts, and that two story buildings could be placed there. She is also concerned about the type of berm. Ball said that they envision this development similar to Stratford Commons. Ball said the buffer would be a berm with landscaping. Ray Wiltgen, 1006 4<sup>th</sup> Avenue NW, said he is concerned about light and the parking lot shown near his property. Ball said he is concerns about negative users. They would also like to see parking of 4 stalls per 1,000 square feet versus the current regulation of 5 stalls per 1,000 square feet.

Ann Long, 1022 4<sup>th</sup> Avenue NW, said she would prefer to keep C-5 zoning. Dave Evans, 212 11<sup>th</sup> Street NW, commented on rezoning last year east of 1<sup>st</sup> Avenue, said he would prefer to keep C-5 as a buffer for existing residents. Keller said that he would like the following stipulations added:

- 50-foot setback on the south property line
- Add taverns, nightclubs, lodges, clubs and furniture stores to excluded uses
- Work with neighbors on screening
- Keep building on south to one story tall
- Limit hours of operation

Shaw noted that the lights will be dark sky compliant and on Tuscany they limited the hours of operation to midnight. Henry said he could agree on the south end only. Susi Wilson said she is concerned about keeping things open too late next to residential. Mr. Wilson asked why all this can't be done under C-5? Ball said that it gives them a little more flexibility; there are also some uses that are cross-over uses. Ball said he would like the flexibility of two stories. He said they could live with a restriction.

Henry moved to recommend approval subject to a 50-foot setback on the south property line, one-story building for the south building, lighting plan is dark sky compliant, work with the neighbors on the buffer yard, and adding nightclubs, taverns, lodges, clubs and furniture stores to

the excluded uses. Seconded by Blanchard. Votes: Yes – Henry, Blanchard, Hay, Narber, Lohmeier, Keller, Nolin; No – None. Motion approved 7-0.

#9 Public Hearing, consideration and recommendation of a rezoning request from F&S Rosenberger, LLC to rezone 15.78 acres from C-5 (Office Park) to Conditional C-2 (General Commercial). No new discussion.

Blanchard moved to recommend with the same conditions as the previous item. Seconded by Lohmeier. Shaw noted that the rezoning will need a super majority to pass at Council. Votes: Yes – Blanchard, Lohmeier, Henry, Hay, Narber, Keller, Nolin; No – None. Motion approved 7-0.

#10 Consideration and recommendation of a re-submitted preliminary plat for Ironwood Crossing. Bart Turk, Civil Engineering Consultants, showed the preliminary plat that was originally approved on 8-21-06. (Note – that statement was incorrect, the plat was originally approved on 10-16-06, CQ). He explained the development.

Nolin moved to recommend approval of the plat. Seconded by Keller. Votes: Yes – Nolin, Keller, Blanchard, Lohmeier, Hay, Narber; No – None; Pass - Henry. Motion approved 6-0-1.

#11 Consideration and recommendation of a final plat for Ironwood Crossing. Turk presented the final plat. He went through the deficiencies. He also said they would talk to City Council about tax abatement. Blanchard left at 8:20 p.m.

Lohmeier moved to recommend approval of the final plat subject to deficiencies listed in staff report (legal documents, bonds, etc.). Seconded by Narber. Votes: Yes – Lohmeier, Narber, Nolin, Keller, Hay; No – None; Pass - Henry. Motion approved 5-0-1.

#12 Consideration and recommendation of a preliminary plat for Ambrose Place Plat 1. Doug Saltgaver, Engineering Resource Group, presented. The plat is 53 single-family lots. Nolin said he likes the curb and gutter and then emptying into swales in the greenspace. Sidewalks will be present on both sides of the street. Keller asked about what type of grasses will go in this area. Saltgaver said it varies by location and water present.

Lohmeier moved to recommend approval of the plat. Seconded by Hay. Votes: Yes – Lohmeier, Hay, Narber, Nolin, Keller; No – None; Pass - Henry. Motion approved 5-0-1.

#13 Consideration and recommendation of a preliminary plat for Ambrose Commercial Plat 1. Doug Saltgaver, Engineering Resource Group, presented. This is a light industrial / multi-family plat. He said they want swales here but not to look like ditches. They will be planted with prairie grasses and wetland mixes. They would like to place them in the right-of-way.

Narber moved to recommend approval of the plat. Seconded by Lohmeier. Votes: Yes – Narber, Lohmeier, Nolin, Keller, Hay; No – None; Pass - Henry. Motion approved 5-0-1.

#14 Consideration and recommendation of a preliminary plat for Noel Ridge Plat 1 (County Plat). Jan Hendrickson, property owner, presented the plats. She wants to parcel off her home and leave the rest as an outlot.

Henry moved to recommend approval. Seconded by Keller. Votes: Yes – Henry, Keller, Lohmeier, Narber, Nolin, Hay; No – None. Motion approved 6-0.

#15 Consideration and recommendation of a final plat for Noel Ridge Plat 1 (County Plat). No new discussion.

Henry moved to recommend approval. Seconded by Lohmeier. Votes: Yes – Henry, Lohmeier, Keller, Narber, Nolin, Hay; No – None. Motion approved 6-0.

#16 Public Hearing, consideration and recommendation of an ordinance amendment to revise language in Chapter 171 – Site Plans to add language specifying the allowed exterior materials for trash enclosures. Shaw presented this proposed amendment. This will tie up a few loose ends in the ordinance and bring all sections of the zoning ordinance to read the same.

Henry moved to recommend approval. Seconded by Narber. Votes: Yes – Henry, Narber, Lohmeier, Keller, Nolin, Hay; No – None. Motion approved 6-0.

#17 Public Hearing, consideration and recommendation of an ordinance amendment to eliminate language in Chapter 159 – Sign Ordinance. Amendment will eliminate the use of architectural metal panels as an allowable material for monument signs. Shaw presented and explained how this will match the principal building and clean up the language in the Sign Code.

Lohmeier moved to recommend approval. Seconded by Keller. Votes: Yes – Lohmeier, Keller, Henry, Narber, Nolin, Hay; No – None. Motion approved 6-0.

#18 Consideration and recommendation of the Park and Facilities Needs Assessment. Shaw presented and discussed the history and this plan. Main priority is to address youth sports. An area has been targeted. Henry asked about a recreation director – Shaw said maybe it's more prudent at this time to look at more and better coordination. Henry and Lohmeier said maybe it's time to look at someone to oversee all. Lohmeier mentioned that the Campus has started to do some of these things. Henry also noted the mention in the plan of working with the school on practice fields.

Henry moved to recommend approval. Seconded by Lohmeier. Votes: Yes – Henry, Lohmeier, Keller, Narber, Nolin, Hay; No – None. Motion approved 6-0.

#19 Minutes of the July 11, 2007 meeting. Narber moved to approve the minutes. Seconded by Hay. Votes: Yes – Narber, Hay, Nolin, Keller, Lohmeier; No – none; Pass – Henry. Motion approved 5-0-1.

Old Business – None.

New Business – None.

Meeting adjourned at 9:05 p.m. Next meeting August 28, 2007 at 6:30 p.m.

Respectfully submitted,  
Chad Quick  
Planner