

**Altoona Board of Adjustment Hearing – December 3, 2019 – 6:30 PM**  
**Altoona City Hall**

Members Present: Hall, Rullman, Simon

Members Absent: Downs, Morris

Staff: John Shaw, Chad Quick, Sydney McCabe, Chief Stallman

Guests: Ken Reed, Andrew McReynolds, Wally Pelds

Vice Chairwoman Simon called the meeting to order at 6:30 PM.

**1. Public hearing to consider a variance request from Lion Development Group / Brandon Pratt for the property at 709 34th Avenue SW (Lot 2, Lions Gate Square plat), Altoona, Iowa, to allow a freestanding sign with multiple commercial businesses advertised on one common sign. The monument sign will be placed along the 34th Avenue SW frontage. Chapter 159 regulates the Sign Code.**

Ken Reed, Nagle Signs, representing Lion Development Group, said that the sign is a directional sign and will help traffic flow.

Simon asked if there are three businesses in this location. Reed said yes. Simon asked if the spaces had been leased. Reed said that he is with the sign company and does not know anything about the leasing of the spaces.

Rullman asked about the locations of the buildings. Quick said that the buildings each have their own signs and the monument sign will show three tenant signs.

Rullman asked if the Dollar Tree building had a second tenant. Quick says yes. Hall asked if buildings A & C have their own monument signs. Simon said yes.

Andrew McReynolds, 654 31<sup>st</sup> Ave SW, asked the purpose of the variance. Shaw said that the variance is for off-site signage since the development is two lots. McReynolds asked if the variance was a technicality. Shaw said yes.

**Hall motioned to approve the variance. Rullman seconded. Yes – Hall, Rullman, Simon. No – none. Motion approved.**

**2. Public hearing to consider a variance request from Clay Tarbell (Altoona Park Storage) for the property at 304 1st Avenue North. They are seeking a variance to use a 20-foot wide drive lane instead of 24-foot wide, two-way traffic drive lanes. Chapters 167.09 and 167.10 regulate parking areas.**

Wally Pelds, Pelds Design Services, said that the site plan has been approved pending a variance from the Board of Adjustment. Pelds said that in his opinion, the Code on drive aisles contradicts itself. The Code says for public parking areas, you need 24' drive aisles. Pelds said that because the area is behind a gate and you need a code to access it, he does not consider it a public parking area. Pelds said that he knows the 24' drive aisles have been enforced in other storage areas, however, the owner has survived with 16' drive aisles and they're proposing to increase those to 20' to comply with Fire Code. Pelds said that they have complied with the 24' drive aisle on the north side of the building.

Pelds said that they are asking for a variance due to the loss of green space and storage space if the drive aisles are required to be 20’.

Rullman asked if the new units would connect with the old units. Pelds said that the drive area would be connected and there would be gates added to the business for secured storage. Rullman said that it is difficult to drive in the complex now due to the narrow drive aisles. Pelds said that they are proposing more room in the aisles than is currently there. Rullman asked about the entrance off of 1<sup>st</sup> Ave N. Pelds said that they are tying into the existing drive area and making it wider on the south by 4’.

Simon asked if there was any other feedback from Planning & Zoning or City Council. Shaw said that they have approved it pending approval of a variance from the Board of Adjustment.

Hall asked how many cars are typically in the storage facility at a time. Pelds replied that the owner said that they have a maximum of five cars at one time. With the expansion, they are expecting 10 – 12 cars on a busy weekend.

Simon asked about the number of storage buildings on the property. Pelds said that there are currently four existing buildings. Simon said that staff recommended the possibility of reducing the size of the new buildings to allow for larger drive aisles. Pelds said that making the buildings smaller would impact the business’ profitability. Simon said that the Board packet outlined the possibility of reducing several of the buildings by 6”-12” to make room for the drive aisles. Pelds said that the storage buildings are manufactured in even 1” sections and come in standard sizes.

Hall said that he noticed one building was smaller. Pelds said that it was reduced to comply with the Fire Chief’s request so the fire truck could make the turn. Simon said that her concern is fire trucks getting in and out. Pelds said that the drawings show that the fire truck is able to get in and out of the storage yard. Simon asked if a fire truck would be able to get through if a car is parked in the aisle. Pelds said that if the fire truck needed to get through, the truck could push the car out of the way. Hall asked if anything flammable is stored in the buildings. Pelds said that nothing flammable is allowed to be stored there.

Pelds said that he is not arguing Fire Code. He said that he is arguing an interpretation of the Building Code that classifies the loading/unloading zone as a parking lot. Hall said that other storage yards have been built that were able to have the 24” required drive areas and the Board does not want to set a precedent by allowing Altoona Park Storage to have smaller drive aisles. Pelds said that this should not be considered a parking area because he does not have to paint stripe it and create permanent parking spaces like a normal parking lot. He said that staff’s interpretation is that the area is a public parking lot and he does not agree because it is private. Shaw said that this is a commercial business that is meant for members of the public to be allowed access. Pelds argued that it is not a public space because you need an RFID card to access it past the gate.

Hall said that making the buildings 6” – 12” smaller will bring the buildings up to today’s Code. Pelds said that doing that would take 4’ off three of the buildings and that the area is a loading and unloading zone, not a parking area. Hall said that his biggest concern is setting a precedent. Pelds said that he would like staff to clarify the Code and he finds the Code confusing with calling this a parking area. Hall asked Shaw to clarify. Shaw said that this is a public area that people drive in to use the service of this business. The Code references loading/unloading zones in front of overhead doors and that

does not apply to this use. Shaw said that parking regulations allow for 2-way traffic, as well as loading and unloading. 24' is a minimum width to allow people to pull over and unload while other vehicles can drive by the parked vehicles. Pelds said that Shaw is claiming this is a high-traffic, public area. Shaw said that the public is using this area. Pelds said that the public subscribes to the back area but has access to the front area. Shaw said that is semantics and does not matter. It still must be designed for vehicles to drive around, stop, and drive by. Both of those can be done within the 24'. Pelds asked why that could not be done within the 20'. Shaw said that because the 20' is to the edge of the building, no one is going to park with their vehicle flush against the building. Pelds said that the residential driveway is 16' and you can get two cars in there. He said he can put one way signs in the drive aisles and that complies with the Code. It is not a public space since not everyone has access to it. Shaw said that according to the Zoning Code, private property applies to a private domicile or home. Properties that have a commercial enterprise, whether paying or non-paying, are considered public. Pelds argued that this is a restricted access area and requires a gate card to have access.

Hall asked what the office hours would be for the business. Pelds said that it could be 8 am – 5 pm but it could be appointment only.

Pelds said that the Code is overly burdensome for the small amount of traffic to the business.

Simon suggested shifting two of the buildings up a foot and keep the 24' on the north, which would only affect two of the buildings. Pelds said that is a possibility, however, the lot is not square so he doesn't have much room to move buildings around.

Rullman said he understands that they are providing a service to the public. Rullman said he rented one of the spaces previously and it is a tight turn around. Simon said Adventureland Drive Self Storage has 24' driveways. Rullman said it is easy to get around in Adventureland Drive Self Storage. Hall said it would be difficult to get through a smaller aisle with a truck and trailer.

Pelds said that he can make the drive aisles one-way. Rullman said that they would still have problems with people parking. Shaw said that it would not be practical. Pelds said that he could make it work and it would be compliant with the Code.

**Rullman made a motion to deny the request as presented. Hall seconded the motion. Yes – Hall, Rullman, Simon. No – None. Motion denied.**

### **3. Minutes of the November 12, 2019 meeting.**

**Rullman motioned to approve. Hall seconded. Yes – Hall, Rullman, Simon. No – none. Motion approved.**

Meeting Adjourned at 7:22 pm.

Respectfully submitted,  
Sydney McCabe  
Community Development Office Assistant

