

MINUTES

ALTOONA CITY PLANNING COMMISSION

Tuesday, February 2, 2021

MEMBERS PRESENT

Randy Isenberg, Chair
Dave Albright, Vice Chair
Michael Haire, Vice Secretary
Larry Bilotto

MEMBERS ABSENT

Charles Myers

Richard Haines-arrived late
James Dixon-arrived late

GUESTS PRESENT

Ron McConnell – Curry Realty
Peter Folen – EADS
John Sepp – Penn Terra Engineering for Nehemiah Project
Peter Joudry – Nehemiah Project (arrived late)
William Kibler – Altoona Mirror

Donald and Jay Ruggery – Property owners of 1417-19 11th Avenue were participants via phone.

STAFF PRESENT

Ken Decker – City Manager
Rebecca Brown – Codes & Inspections Director
Kim Carrieri – Administrative Assistant

The Altoona City Planning Commission held its monthly meeting on February 2, 2021 in the City Council Chambers, 1320 Washington Avenue, Altoona. Randy Isenberg, Chair, called the meeting to order at 3:02 p.m. He introduced and welcomed the new member of Council Larry Bilotto.

ADMINISTRATIVE ITEMS

1. Approval of meeting minutes of January 5, 2021.
The minutes were previously distributed for review. A motion was made by Michael Haire for approval of the minutes. Motion was seconded by Dave Albright. Motion carried unanimously.
2. Appointment of Board Secretary.
Former board member Jennifer Mikolajczyk resigned and was the Secretary of the board, Randy Isenberg suggested that since Michael Haire is the Vice-Secretary that they appoint him Secretary and appoint Jim Dixon as Vice Secretary. All present were in favor of the 2 recommended appointments.
3. Public Comment Period.
Donald & Jay Ruggery (via phone) – property owners of 1417-19 11th Avenue. Donald introduced himself and spoke regarding his property being right beside the Curtin Plaza

project. They expressed their concern with access of pedestrians to get from the parking lot to 11th Avenue and according to the initial plans it looks like that property will be fenced off completely with shrubbery up against their building. Randy Isenberg explained that the Curry Group will be presenting their proposed amended plans and he can listen to their presentation and then he will have an opportunity to provide more input after the presentation.

SUBDIVISION AND LAND DEVELOPMENT APPLICATIONS

4. **The Nehemiah Project, Inc.** – *The Nehemiah Project proposes to build fourteen townhomes on parcel 1 at 1500 Eleventh Street and five additional units on Parcel 2 at 1414 Eleventh Street. The applicant seeks 4 waivers from the Altoona Planning Commission today.*

John Sepp, from Penn Terra Engineering, representing the Nehemiah Project, was introduced to present the plan and answer any questions that the commission had. John explained that at the last meeting the plan was well received except one of the concerns was the proposal of angled parking on 11th Street as there were safety concerns for vehicles pulling in and out so they redesigned the site to have parallel parking along 11th Street and added additional perpendicular parking to the rear of the town home lots.

1. §640-59.C.3: Large trees (greater than 12 inches in diameter) removed pursuant to Subsection C(2) above shall be replaced with a minimum of three trees with a minimum caliper of three inches. Tree placement shall be in such a manner so as to complement the site and ensure the long-term health of the trees planted.
The Applicant is requesting a waiver to this section: There are numerous trees on site which have grown wild over the years and are of no real aesthetic value. The City ordinances require 7 street trees and 10 are being provided. In addition, the trees in the undeveloped section of the property will remain undisturbed.
2. §640-63.A.(6): The minimum curb radius on an access driveway at the street or alley shall be 10 feet.
The Applicant is requesting a waiver to this section: The alley is being widened by 5 feet in the location of the access. Widening the alley at this location limits the radius that will work at the entrance, but will provide a better means of access to the project.
3. §640-63.C.(7): Curbing shall be placed at the edges of all surface areas, including islands. Curbing shall be vertical around the perimeters of the parking facility but may be sloped around landscaped islands. **Applicant is requesting a waiver to this section. Low profile extruded curb is proposed interior to the project, while full depth curb is proposed in the Street right of way. Given the minimum speed of the vehicles and the fact that sidewalk is located adjacent to the curb and the stalls are angled, the low profile curb will be sufficient for this use.**
4. §640-63.G.: For every 10 spaces provided by the applicant for motor vehicles, one bicycle parking space shall be provided, with a minimum of two bicycle spaces for all proposals in accordance with this section. **Applicant is requesting a waiver to this section. The residents will likely house any bicycles inside the units.**

The commission went into further discussion: Mr. Bilotto thanked them for removing the angled parking and adding additional parking to the rear will be a nice feature. Mr.

Albright stated that there was some discussion with codes in terms of accessibility and the amended plan addresses the accessibility issue with an accessible unit. Mr. Sepp explained that they took one of the garages underneath and made it into an accessible unit so there are 25 units now instead of the original 24.

The 2 additional board members arrived at this time.

Ken Decker, City Manager and staff representative requested an additional recommendation, being that the units in front enter from the top and the units in back enter from the lower level, he would like to see them add a handicapped space and a curb cut at the center curb line of the front units to facilitate moving people in and out to allow a handicap access to the top part of the project.

Mr. Sepp stated that if it is at proper grade, they will accommodate that recommendation but suggested that they make the recommendation include “if feasible”.

Motion was made by Larry Bilotto to approve the development plan with all 4 waivers as presented. Seconded by Michael Haire. Motion passed unanimously.

5. **Curry Realty – Low Impact Land Development** – *This project is the restoration and renovation of the former Vipond Building at 1425 11th Avenue for a mixed use of offices and educational services. The project includes interior and exterior restoration and renovation of an approximately 35,000 square foot building. Also included is a new addition consisting of an elevator and egress stairs. The addition extends into the area commonly known as Curtin Plaza which includes the redevelopment of the plaza into a courtyard, labeled on the plans as a pocket park. This proposed area is fenced and gated and includes a pedestrian walkway opposite of the Vipond Building. This pedestrian way connects the large Altoona Parking Authority parking lot with Eleventh Avenue. The area known as Curtin Plaza is subject to deed restrictions imposed by the Altoona Redevelopment Authority. Based on written communication from the Redevelopment Authority Solicitor, Elizabeth Benjamin, the proposed building addition is permissible under the deed restrictions. The low impact land development plans were submitted on January 6. Conditional approvals were granted by the acting Planning Administrator on January 15. The formal Finding was distributed to the Planning Commission forthwith.*

Mr. Decker explained that this came in as a low impact land development plan, was conditionally approved by staff (in accordance with Chapter 640). One of the conditions was that the Planning Commission have the opportunity to review and incorporate any comments or changes supported by the majority of the board. This has been on a tight timeline to turn around the approvals quickly. This project is mostly the renovation of an historic building but the part of interest to the Commission, the Developers and those on the phone is the pocket park or courtyard area formerly known as Curtin Plaza and the pedestrian access between the Altoona Parking Authority lot and 11th Avenue.

Ron McConnell from Curry Realty along with Peter Folen from EADS Engineers and Architects were present. They distributed a sheet of points to the board members to go with the updated drawings. Mr. McConnell stated that this is a renovation of the old Vipond Building in downtown Altoona, which is an historic structure, and they have been working on this project for about 2 years along with the Altoona Blair County Development Corporation, GAEDC, The Allegheny Ridge Corporation, the Pennsylvania

Historical & Museum Commission, the Department of Community and Economic Development as well as the National Park Service. They have approvals from the National Park Service as well as the PA Historical & Museum Commission as they restore this building to its historic roots.

The building contains about 33,000 square feet and the Curry Companies will be locating their corporate headquarters in the building occupying the occupying the 2nd and 3rd floors. Saint Francis University will be leasing the 1st floor of the building to move some education services to this area. They are planning to use the vacant lot next to the building as a pocket park and will be maintaining a pedestrian egress through that lot that will not be gated off and will be open to the public.

Mr. Folen explained that there will be a concrete walkway with ramps that will be handicapped accessible and meet all the ADA requirements. There will also be an isolation joint up against the adjacent building to protect that building.

Mr. McConnell thanked the board for their time and review of this project and stated that they are very excited to bring this corporate headquarters project to life in downtown Altoona and excited as to the number of employees and patrons it will bring into downtown. They are also equally excited that Saint Francis University is joining them in this revitalization. They will be replacing all the sidewalks in the project and there will be a pedestrian egress being maintained between the Parking Authority parking lot and 11th Avenue. They know there has been concern that a pedestrian egress occur and is included in the updated plan with both a lit pedestrian walkway with 24-hour accessibility. The width of the walkway will be 5'5" which is the standard handicapped width. There will be a fence around the pocket park, which is created for the patrons of the building and the main entrance. On the 11th Avenue side there will be 2 pillars with a gate that will be locked after hours.

Inquiry of the ownership of the walkway was explained by Mr. Decker stating that the lot is owned by Curry and has been consolidated with the former Vipond Building lot. One of the staff recommendations would be that, concurrent with the final approved plan, a deed of easement be recorded that preserves the pedestrian walkway to the parking lot. That will make a legal guaranty that an open walkway remains, even if the property is sold or changed in any way. It also was determined that Curry will be responsible for maintaining the walkway with snow removal etc. Just like a property owner has to maintain their sidewalks, even though it is a public right of way, it is the property owner's responsibility to maintain the sidewalk area.

Mr. McConnell stated that they are comfortable with the easement being recorded and lighting and maintaining the walkway. The fence is designed to be open and most likely would be steel and not aluminum.

Mr. Decker explained that open would be better than closed as far as a safety, security and maintenance standpoint. He also would like the commission to consider relocating the fence behind the shrub line in order to leave room for snow removal and would give the walkway a wider feel.

It was explained by Mr. Folen explained that there is a different elevation between the parking lot and 11th Avenue so the first part of the walkway coming off of the parking lot and going up the ramp toward 11th avenue would have a retaining wall which will

continue until you get to the top of the second ramp where at that point and along with the upper terrace will be at the same elevation as 11th Avenue. It was determined that since it is an open fence, snow could be pushed through the fence for removal.

Mr. McConnell requested that they leave the fence as is primarily because their intention of the walkway inside the pocket park is to create a park-like environment and the feel for the vegetation etc. They will be responsible for the snow removal and an open metal fence would allow them to throw snow through it.

The main patrons will come in through the front gate and then enter the building through the main entrance to the right in the park. A few employees will have access to enter at the rear of the building but the majority will be entering in the front and using the walkway to get there. They are concerned about graffiti and damage and installing this fence is to preserve their investment.

Ken Decker explained that the City owns and maintains Heritage Plaza which is a public park along with Rossman Park associated with Penn State is a public/private space and has had very little if any vandalism to these properties over the years. He understands a property owner wanting to lock things down at night but we have been pretty lucky in Altoona to have some great public/private spaces in the downtown area that enhance the feeling of the central business district as a welcoming and open space.

There was some discussion on fence height requirements but Mr. Decker explained that we would consider the 11th avenue gated entrance as the side yard and the fence height would be permitted.

Mr. Isenberg feels that the public walkway that they are proposing is fine and he doesn't know what we gain by widening it. Snow removal is an issue this year but not all years.

Mr. Haire is concerned about the fence and feels that the landscaping itself can deter the use of the space. He just doesn't want to set a precedence of everyone wanting to have their own little fort-like properties downtown. The appeal from the street is a concern.

There was discussion on the deed restriction and/or easement. Mr. Decker explained that a deed restriction is different than an easement. When the property was conveyed by the RA to the developer there was a deed restriction with broad language which was contradictory which stated it was to be kept as open space with pedestrian access. The easement that we are suggesting would only cover that roughly 6-foot walkway and we have received a legal opinion that the building addition is not inconsistent with the deed restriction. The Redevelopment Authority is willing to amend the language of the deed restriction but are waiting to see what the Planning Commission findings are.

Mr. Decker explained that there are no other waivers, as the plan as presented complies with zoning and doesn't have much external impacts and there is sufficient parking in the Parking Authority lots for the new use, it just comes down to the Commissions thoughts and remarks on the pocket park and what you would like to see happen there.

After further discussion the majority of the members are fine with the walkway and keeping the fence as is.

Mr. Bilotto went over the lighting plans for the walkway which has a post mounted light on the base of the first ramp, then at the top of the 2nd ramp there is a 14-foot pole lamp, then as you go up the sidewalk and are level there are 2 trees before entering the sidewalk on 11th Avenue, however it does not show another light there and the light from the street will be blocked by the trees. He suggested that they may want to add another light there.

Mr. Folen explained that they are currently working with a lighting company and will be doing photometrics to determine the proper lighting on the walkway etc. The lighting plans are not finalized and they will take steps to light the walkway appropriately. Once that plan is final, they will turn that into the City for review.

There were some questions about the Penelec transformer on the sidewalk area. They explained that it is on the rear of the building as the power is coming up behind the buildings and hooking into the transformer. The clearances have been approved by Penelec and there will be plenty of clearance to be able to walk through that area in the rear of the building.

Mr. Decker suggested one more request be that they add signage at both ends of the walkway identifying 11th Avenue and the parking authority lot, especially for people that are not familiar with downtown so they are aware that it is a walkway.

Mr. Isenberg stated that the Blair County Planning Commission is requesting a place for a bike rack for parking of bikes which is also required in the City Code. The bike rack could be placed wherever it would suit their operations. Mr. McConnell agreed to that request.

Mr. Donald Ruggery, via phone, stated that he appreciates the project being worked on for over two years, however the original plan that was posted on the website does not have a sidewalk on that plan and he was concerned with plantings being up against his building. Mr. Decker explained that there was updated plans that may not have been put on the website however included in one of the letters he sent to the business owners, he informed them that the updated plans now include a walkway running parallel to the building across from the old Vipond building. Mr. Ruggery was concerned about shrubbery being right up against his building and the Commission confirmed that there would not be any shrubbery up against their building just a cement sidewalk. He thinks that the walkway will be rather narrow with walls on both sides of a portion of the walkway and it will be a little intimidating. He would suggest making the fence as aesthetically pleasing and the least imposing as possible.

Motion was made by Larry Bilotto to approve the plans as presented, pending the lighting plans review, inclusion of a bike rack and the pedestrian easement of the walkway and was seconded by Dick Haines. Motion passed unanimously.

6. Staff Level Reviews – None.

URBAN REDEVELOPMENT

7. Spot Blight Declaration – Ken Decker presented the following property to the Altoona Planning Commission for approval to declare the rear brick portion of the property blighted for recommendation of immediate demolition.

- a. **1747 Margaret Avenue (rear brick portion only)** (former J&J Recycling)
Mr. Decker explained that the City owns this building and acquired the building to become a recycling center, however the site was not viable and we did not receive sufficient grant funds for that use. The current plans are to shore up the viable section of the building and renovate it for use for hazmat storage. The back brick portion of the building is failing and needs to be demolished, with the steel part of the building salvageable.

Mrs. Brown explained that a portion of the building had to come down immediately as it was unsafe and falling and the remainder of the brick portion needs demolished. Mr. Decker explained that there are funds that were allocated for a pole building at the Juniata Fire Station for hazmat storage that are being allocated with possibly some additional general unfunded reserves to finish the project.

Motion to declare the property blighted was made by Jim Dixon and was seconded by Dick Haines. Motion passed unanimously.

INFORMATIONAL ITEMS

Ken stated that he wanted to have a discussion on the planning reports with the Commission members from the list that we inherited. Could we change it to a general staff report as, for example, the Shade Tree Commission is being phased out due to lack of resources.

It was decided that we will change it to Staff Reports but keep the GAEDC report which is done by Randy Isenberg and the Blair County Planning Commission report which is done by Randy Isenberg and Jim Dixon.

The next agenda will read as follows:

8.

Staff Reports

GAEDC Report – Randy Isenberg

Blair County Planning Commission Report - Randy Isenberg and/or Jim Dixon

9. Commissioner Forum - None.

10. Discussion of Procedures for Planning Commission

Ken explained that although this is not new to him on staffing planning commissions and being involved in land development, this is new for him doing it in Altoona. Because of the staff downsizing due to budget cuts, he is pinch hitting to help Rebecca. The City is currently advertising for a person for GIS and Land Use and hopefully this person will be an extra hand in helping with zoning hearing boards, zoning issues and planning work. The City is very thinly staffed and are going to do our best to keep things rolling in the right direction. He asked what procedural requirements they want as a Planning Commission as far as deadlines etc. We don't want people coming in at the last minute trying to push a plan through. How late do you want us to accept plans for review for the planning commission and when do you want the agenda to be sent out? Once a deadline is picked, we are sticking hard to that deadline and if you miss it, you will have to wait a month.

After much discussion the commission decided that a minimum deadline of plan submission should be 2 weeks in advance of a meeting and the distribution of the agenda with all pertinent attachments should be sent to the Commission members one week prior to the meeting. That deadline is pretty generous to a developer.

Ken stated that the amount of time needed will definitely depend on the type of plan. Obviously if it is a more in-depth plan, we would need more time. There is a project coming in for a senior health and wellness center on Fairway Drive in a vacant space and that may be a good plan to figure things out with. Ken will be handling the zoning, Rebecca will be handling the Codes and Building and they will be working with Stephanie at Keller Engineers to do some of the technical reviews and stormwater calculations but things like parking tabs and transportation could involve Larry's subject are expertise etc. It is hard to talk about timing, the Vipond/Curry plan was fairly simple, this senior wellness center will be a big project. Part of this will be working with the Commission as a team and building a relationship with the Commission. Developers are used to getting things a lot faster here than other places in the Commonwealth, where 6 to 9 months is not uncommon.

Ken would like to have pre-submittal meetings where they would sit down with the developer, their engineer and architect along with City Staff and hash out their plans on a project and that allows us to identify a lot of the problem areas in advance. For the foreseeable future Ken will be sitting in on those pre-submittal meetings.

Along with the above, Ken would like to also have a technical advisory committee meeting once a month where if you have a plan and it is time to talk about that plan get all of the reviewers and the developers and engineers in the room and have more of a roundtable discussion to hash out the problem areas on the those plans. The good engineers make it easy for us but not every firm is going to deliver perfect plans and then the City gets in the middle as the quality control shop for engineering firms. What we would do in these meetings is to be able to give you a fairly good compact way of going over the issues. Keep you informed and pull out the key factors.

The Planning Commission is here to represent the community to balance interests and every time we have a plan, we will do public outreach to the neighbors. The reason this public walkway now exists on this project is that we informed the downtown businesses of this project and some of them responded back with their concerns like Dr. Petrunak, the Ruggery's and LaVintage Décor. The public outreach piece is really important for us to make sure that everyone is informed about what happens next door to them. It makes it messy at times because people in the public can get territorial about someone else's property but the Commission's role is to be the voice of the public in balancing the interest of the property owners and developers and existing members of the community that will be impacted by the new development. What we will do is tee up for you the really meaty issues and what staff will deal with are the ticky tack detail stuff.

Ken stated that when we have a plan in the queue, we will give you a brief update of what we have and you can come in and look at the plans and maybe even go walk the site and get a sense of where its going. When it looks like we are getting ready to put it on the agenda we will give you a good staff report with the important things to be looking at, but also your expertise and input on a plan is good.

Dave Albright stated that what they have expected in the past and as an architect he has always been able to get the owner in a meeting with Lee and Nick to go over things and then under the staff level reviews on the agenda there would be a list of things that were coming up on the next agenda or next few agendas and give a brief overview of what the concerns are etc. Then by the time it does come to the meeting they are already familiar with it and the resolution is written up and they can walk through the waivers and the resolution gets signed and approved at the meeting.

Ken stated that it is a relationship building process and we are just here to make sure the plans comply with the code and then bring the Commission in on how we make this better for the community and everyone.

11. Questions from the Media and any additional Public Comment

Bill Kibler – Altoona Mirror Reporter

Asked if the Planning Commission Meetings will be held at Council Chambers from now on. Ken explained that we plan on having them there during Covid restrictions. Was there any document that made the entire Curtin Mall public space forever? Ken explained that the Redevelopment Authority imposed a deed restriction with language that was oddly worded and contradictory so they have had the legal work done and the Redevelopment Authority will amend the deed restriction wording but they were waiting for the Planning Commissions decision on the fence and gate issue. What has been presented and what the Planning Commission has approved does not contradict the deed restriction.

12. Adjournment

The meeting was adjourned at 4:47 PM

Michael Haire, Secretary