

MINUTES
ALTOONA CITY PLANNING COMMISSION
TUESDAY June 6, 2017

MEMBERS PRESENT

Bob Gutshall, Chairperson
Dave Albright
James Dixon
Charles Meyers
Jennifer Mikolajczyk

MEMBERS ABSENT

Sam Frye

COMMUNITY DEVELOPMENT STAFF PRESENT

Lee Slusser, Director Community Development
Nick Ardizzone, Property and Program Coordinator

GUESTS PRESENT

Dan Beyer, EADS – ABCD Parking Lot
Drew Swope – Keystone Development
Donna Royer, Zoning Hearing Board
Bill Kibler, Altoona Mirror

The Altoona City Planning Commission held its monthly meeting on June 6, 2017 at 3:00 P.M. in the Public Meeting Room, City Hall 1301 12th Street, Altoona. Bob Gutshall, Chairperson, called the meeting to order at 3:00 p.m.

ADMINISTRATIVE ITEMS

1. **Approval of meeting minutes of May 2, 2017.**
The meeting minutes of May 2, 2017 were approved as read by a motion made by Jennifer Mikolajczyk. Motion was seconded by James Dixon. Motion carried unanimously.
2. **Public Comment Period**
None at this time

SUBDIVISION AND LAND DEVELOPMENT ITEMS

3. **Staff Level Reviews** – Staff has been working on the following subdivision/land development applications since the May 2, 2017, regular meeting. Staff quickly reviewed these.

1. Dollar General Land Development – 1320 14th Avenue – Final Approval - (Change Notification)
2. Anytime Truck and Tire Land Development – 815 9th Avenue – Final Approval
3. Cathedral of the Blessed Sacrament Parking Lot Expansion Land Development – One Cathedral Square – Final Approval
4. Green Bean Coffee House, LLC –Subdivision/Land Development – 722 6th Avenue – Final Approval
5. Former Downtown Drug Building Improvement Site – Land Development - 1500 11th Avenue – Final Approval
6. Beachhome Properties II – Subdivision – 224-226 25th Avenue – Final Approval
7. Kulik – Subdivision – 1100-1130 N. 7th Avenue – Final Approval
8. Union Avenue, LLC – Land Development – 1815 Union Avenue – Final Approval
9. Altoona Beauty School – Subdivision - 2040-46 Valley View Blvd – Final Approval

URBAN REDEVELOPMENT

4. Spot Blight Declaration –

No Report

5. PROPOSED ORDINANCE REVIEW AND RECOMMENDATIONS

At their meeting on June 6, 2017, the Altoona City Planning Commission reviewed a request from Keystone Custom Homes and Development to rezone parcel number 0114-24-71 so that the entire parcel is zoned Multiple-Household Residential. Currently, the lower, eastern half of this parcel, which is addressed as 102 South Beckman Drive, is zoned Suburban Residential and the higher, western half is already zoned Multiple Household Residential. Keystone Custom Homes and Development seeks this rezoning so that it can build two new single-story duplexes in the lower, eastern half of the parcel. As part of this request, Keystone Custom Homes and Development also seeks to have parcel number 0114-24-74, addressed as 106 South Beckman Drive, rezoned from Suburban Residential to Multiple Household Residential. This parcel has already been developed. This rezoning request and an accompanying map was e-mailed to Altoona City Council on May 26, 2017.

Drew Swope of Keystone Custom Homes and Development and Daniel Beyer, PE, of the EADS Group attended the Planning Commission meeting on June 6th and explained the request. After discussing the request, *the Altoona City Planning Commission recommended that Altoona City Council introduce an ordinance that would enact the requested rezoning. The Commission felt that it would make the zoning in this area simpler and provide a need for new, market rate housing.*

The Altoona City Planning Commission then examined the proposed textual amendments to Chapter 640 (Subdivision and Land Developments) and Chapter 800 (Zoning) of the *Code of the City of Altoona* that City Council reviewed at its May 8, 2017, Strategic Planning Meeting. Mr. Slusser explained each of these proposed changes in order, and the Planning Commission made the following recommendations, *which will be shown in maroon italicized text.*

PROPOSED CHANGES TO CHAPTER 640, SUBDIVISION OF LAND AND LAND DEVELOPMENTS

- The off street parking requirements of Section 640-63D have not been updated since they were first adopted in 2003. Using *Parking Standards* (Michael Davidson and Fay Dolnick, American Planning Association, Planning Advisory Report) as a guide, I propose adding off street parking requirements for animal grooming salons, art galleries, athletic fields, banks, bars, barbershops, bowling alleys, convenience stores, dance studios, martial arts studios, day care centers, dental offices, health clubs, car rental businesses, nursing homes, and stadiums. Our current ordinance has no standards for these land uses, each of which currently exists within the City. When one of these businesses is built, we have been forced to use similar activities as guides. This is not always accurate or fair to the involved business or its surrounding neighborhood.

The Altoona City Planning Commission recommends the introduction and adoption of this proposed amendment. However, the Commission recommended simple changes to clarify which standards apply to which professional and office uses. Mr. Slusser subsequently made those changes, and feels that they were necessary.

- Some of our existing off street parking requirements at Section 640-63D are difficult to enforce because they are based upon staffing levels, which vary for many businesses throughout the day and are difficult for us to ascertain -- especially months in advance of an opening. So using *Parking Standards* as a guide, I propose replacing our current off street parking requirements for eateries, restaurants, educational services, health services, hospitals, hotels, and overnight lodging with more enforceable standards based on the size of the proposed building.

The Altoona City Planning Commission recommends the introduction and adoption of this proposed amendment.

- Finally, I propose eliminating off street parking requirements for bus shelters, parking lots, and parks only because they have been proven unnecessary to date.

The Altoona City Planning Commission recommends the introduction and adoption of this proposed amendment.

- I propose amending Section 640-65E(6)(a) to allow lighting units to be up to 25 feet tall in the General Industrial, Light Industrial, Central Business, and Highway Business Zoning Districts. Currently, lighting standards may only be up to 15 ft. tall citywide. This is, by far, the Planning Commission's most waived regulation. It does serve a purpose in more residential areas, so I propose leaving the 15 ft. limit in effect there. But in heavy commercial areas, it only forces the developer to add more light poles if it is not waived. Note that the shielding requirements at 640-65E(6)(b and c) would remain in effect everywhere.

The Altoona City Planning Commission enthusiastically recommends the introduction and adoption of this proposed amendment.

PROPOSED CHANGES TO CHAPTER 800, ZONING

- As required by Council's adopted *Analysis of Impediments to Fair Housing Choice* (pages 89-91), "fostering housing choice and affirmatively furthering fair housing" is proposed to be added as a zoning purpose at Section 800-1B(15).

The Altoona City Planning Commission recommends the introduction and adoption of this proposed amendment.

- As required by Council's adopted *Analysis of Impediments to Fair Housing Choice* (pages 89-91) and recommended by our CDBG consultant, I propose to add "accessibility" to the list of definitions in Section 800-6 as follows -- "*The ease of access into and around the interior of a building or facility without obstruction to a person who may be physically disabled.*"

The Altoona City Planning Commission recommends the introduction and adoption of this proposed amendment.

- Section 800-15B details processes and submission requirements for zoning permits and appeals. We do not follow these particular procedures and requirements. So to clarify our actual requirements for applicants, and to protect us from procedural challenges, I propose adding and deleting a few items here to more accurately reflect the information we need. I propose removing the 1:40 scaling requirement, which doesn't always make sense depending on the lot size. I propose removing the requirements for a list of land development waivers (irrelevant to zoning), a copy of the recorded deed, neighboring property owners, the fee for the Blair County Planning Commission (which doesn't review these), a table of contents, seven sets of plans, and plan set requirements as these are more appropriate for subdivision

and land development submissions than zoning permits. For special exceptions or variances that would go before the Zoning Hearing Board, as well as for conditional uses that would go before City Council, I added requirements for an explanatory narrative addressing the ordinance's specific conditions, pictures, and, for signs, detailed drawings.

The Altoona City Planning Commission recommends the introduction and adoption of this proposed amendment. Donna Royer, a member of the Zoning Hearing Board, was in attendance and supported the need for the explanatory narrative and drawings.

- Sections 800-20B and 800-21E require the Zoning Officer to submit written reports to the Zoning Hearing Board regarding impacts for cases involving nonconforming uses or buildings. The Zoning Officer does not actually submit these reports, which could invite a procedural challenge. Moreover, it makes more sense for the applicant to provide this information, since he or she is most familiar with their project. So I propose editing these two sections to require that the applicant explain the impacts of changing or expanding a nonconforming use or building.

The Altoona City Planning Commission recommends the introduction and adoption of this proposed amendment.

- "Educational Services" are permitted as a special exception in the Suburban (800-47C(2)), Single Household Residential (800-48C(2)), Limited Residential (800-49C(2)), Multiple Household Residential (800-50C(2)) Zoning Districts. However, successful day care centers, preschools, dance schools, martial arts schools, music schools, and art schools can have significant traffic and parking impacts on these otherwise residential zones. This is true even when these businesses have more than enough off street parking, due to drop off and pick up behavior that it is difficult for the City or the business to control. So I propose that these specific uses be excluded from these zones unless they meet the off street parking requirements of Section 640-63D and have a signed drop off/pick up location or lane that is adjacent to the main entrance but does not impede pass by traffic. Of course, existing businesses will be grandfathered, and day care centers, preschools, dance schools, martial arts schools, music schools, and art schools will continue to be permitted by right in all other zones. *Note that a drawback to this proposal is that it could limit the reuse possibilities of some residentially zoned closed churches or school buildings.*

The Altoona City Planning Commission shared the concern that this may limit the reuse possibilities of some closed churches or schools. Mr. Slusser suggested as an alternative amending our land development ordinance to address drop offs/pick ups at day care centers, preschools, dance schools, martial arts schools, music schools, noting that this would allow more site specific flexibility than a simple zoning ban. The Planning Commission supported the development of this language instead, and

suggested the withdraw of this zoning proposal. So Mr. Slusser subsequently removed it from the proposed ordinance.

- Sections 800-47M (Suburban), 800-48M (Single Household), 800-49M (Limited Residential), 800-50M (Multiple Household Residential), 800-51M (Urban Residential), 800-52N (Mixed Residential Commercial), and 800-53M (Neighborhood Business) allow setback encroachments for certain listed items. I propose adding wheelchair ramps or lifts to the lists in each of these sections. These would be approved as special exceptions by the Zoning Hearing Board under the following conditions: that the structure has no other means of ADA access, that the incursion is as small as possible, and that the owner agrees to remove the ramp or lift when it is no longer needed and the City requests the removal. Note that I did not propose the same in the Highway Business or the two industrial zones, thinking that accessibility may be less of an issue there. However, I could change that by merely adding the same language to Sections 800-54M, 800-56N, and 800-57N. This proposal was made at the suggestion of the City Solicitor.

The Altoona City Planning Commission recommends the introduction and adoption of this proposed amendment.

- The City Solicitor recommended excluding "apartment buildings and other multiple household uses" from the purpose statement of the Multiple-Household Residential Zone (Section 800-50A) because these uses are not permitted in that zone. I propose to replace them in the purpose statement with "townhomes," which are permitted.

The Altoona City Planning Commission recommends the introduction and adoption of this proposed amendment.

- The City Solicitor recommended eliminating conditional uses, making them into special exceptions where possible. So, I propose eliminating group homes and halfway houses as conditional uses in the Multiple Household Residential Zone (800-50D) and adding them as special exceptions at 800-50C(11) and (12). Likewise, I propose eliminating group homes, halfway houses, and emergency shelters as conditional uses in the Urban Residential Zone (800-51D) and adding them as special exceptions at 800-51C(10), (11) and (12). Note that I left one conditional use at 800-57D. That is the catch-all for any land use not otherwise allowed by our zoning, and is only allowed in the General Industrial Zone. If Council desires, I can remove this last conditional use. But I thought that Council may want to stay involved with this last one, only because if it is ever used, it would probably be quickly followed by a zoning amendment.

The Altoona City Planning Commission recommends the introduction and adoption of this proposed amendment if it is ok with Council.

- Our General Industrial Zoning District does not permit business offices, eateries (restaurants), or retail sales. This was likely done so that these business, which are permitted elsewhere, don't compete for real estate against industrial businesses. However, the demand for industrial land has been limited. A local developer is currently trying to lease an old commercial office building that happens to be zoned General Industrial, and she is having difficulty doing so since any office, restaurant, or store that wanted to use her building would have to first acquire a variance from the Zoning Hearing Board. To give her building and others in this zone more flexibility, I propose that business offices, eateries (restaurants), and retail sales be added to the list of permitted uses of the General Industrial Zone at Section 800-57B.

The Altoona City Planning Commission recommends the introduction and adoption of this proposed amendment.

- Electronic screen signs have become popular. However, Section 800-63 only allows such signs by right in the Commercial Highway Business and General Industrial Zones. This caused six successful variance cases outside of these zones in 2016 and more in 2017. Most of the variance applicants have been churches (e.g., Providence Presbyterian, Altoona Bible, Simpson Temple), although the Jaffa Shrine and Mishler Theatre also received variances. I propose allowing electronic screen signs in the Mixed Residential Commercial, Neighborhood Business, Central Business, and Light Industrial Zones as special exceptions. The Zoning Hearing Board grants special exceptions as well as variances. However, permitting these signs as special exceptions allows us to specify the conditions under which the signs can be approved. My proposed conditions for the special exception revolve around whether the sign would impact residences or motorists due to distance, shielding, and/or hours of operation. Note that such signs would remain permitted by right in the Highway Business and General Industrial Zone, and banned in pure residential zones.

The Altoona City Planning Commission and Donna Royer, a member of the Zoning Hearing Board in attendance, recommend the introduction and adoption of this proposed amendment – although the Commission expressed concerns about the proliferation of these signs.

- Section 800-63B limits the brightness of electronic screen signs to "5,000 nits of light during daylight or 500 nits during non-daylight hours." The American Planning Association, the International Sign Association, and the City of Columbus, Ohio instead recommend limiting the brightness of electronic screen signs to 0.3 foot-candles above ambient light conditions. Foot candles can be measured with a common \$150 instrument, and are easier for everyone involved to work with. So I propose changing our electronic screen sign brightness limits as recommended.

The Altoona City Planning Commission recommends the introduction and adoption of this proposed amendment.

- At Council’s strategic planning meeting on May 8, 2017, Mayor Pacifico asked the Planning Commission to investigate increasing the off-street parking requirements of student homes at §800-47C(7)(e), §800-48C(7)(e), §800-49C(7)(e), §800-50C(8)(e), §800-51C(9)(e), §800-52C(5)(d), §800-53C(3)(d), and §800-55C(2)(d) to one paved space per student. The requirement in each of these sections for student home off street parking currently reads as follows: “A minimum of two paved parking spaces shall be provided per dwelling unit in driveways or off-street parking areas, plus one space for every student over four students. All off-street parking must be provided on the same parcel as the student home.”

The Altoona City Planning Commission and Donna Royer, a member of the Zoning Hearing Board in attendance, recommend the introduction and adoption of this proposed amendment. The Commission struggled with this proposal, noting that it could limit student housing and impact stormwater. It was noted that due to the suburban nature of Penn State Altoona, though, college students would be more likely to need cars in Altoona than in State College or Oakland. The Commission and Ms. Royer additionally suggested increasing the separation distances required between new student homes or simply banning them from some zoning districts.

Note that Section 303 of the *Pennsylvania Municipalities Planning Code* (Act of 1968, P.L. 805, No. 247, as reenacted and amended) requires that municipal planning commissions review all proposals to amend their zoning, subdivision, or land development regulations after a comprehensive plan has been adopted. The recommendation above is offered to satisfy this state law. Should Altoona City Council have any questions about this recommendation, they are encouraged to contact Mr. Slusser at their convenience.

6. INFORMATIONAL ITEMS

Planning Report

- a. Grantsmanship activities (CDBG and HOME)
- b. Shade Tree Commission.
- c. Zoning Hearing Board
- d. GAEDC
- e. Comprehensive Plan – Next meeting will be held June 28, 2017 from 7:00 – 9:00 P.M. at the Logan Township Office.
- f. The Altoona City Planning Commission had a brief discussion on the need to appoint a Secretary for the commission. A motion was made by James Dixon to appoint Jennifer Mikolajczk as secretary. Dave Albright seconded the motion. Motion carried unanimously.

7. **Commissioner Forum**
No Report
8. **Questions from the Media and the Public**
9. **Adjournment** – Meeting adjourned at 4:45 P.M.

Jennifer Mikolajczk, Secretary