

MINUTES

**HARRISBURG PLANNING COMMISSION
REGULAR MEETING
AUGUST 5, 2009
THE MARTIN LUTHER KING, JR. CITY GOVERNMENT CENTER
PUBLIC SAFETY AUDITORIUM, ROOM 213**

MEMBERS PRESENT: Joseph Alsberry, Chair
Calobe Jackson, Jr.
Shaun E. O'Toole
Ronnie G. Shaeffer - arrived at 7:05 P.M.

MEMBERS ABSENT: Vern McKissick, III, Vice-Chair

STAFF PRESENT: Candace Stowell, Deputy Director for Planning
Jennifer Boyer, Current Planner
Craig Peiffer, Urban Planner II

OTHERS PRESENT: Mr. David Morrison, 936 North Second Street
Ms. Kara Russell, 2915 North Second Street
Mr. Bob Roscoe and Mrs. Thelma Roscoe, 125 Manor Street
Ms. Laura Gregorits, 2544 North Second Street
Ms. Debra Jamieson, 2959 Green Street
Ms. Linda Goldstein, 2900 Parkside Lane
Ms. Dena Linn Rockoff, 2924 Parkside Lane
Mr. David and Mrs. Niema Schertz, 2964 North Second Street
Mr. Chaim and Mrs. Reva Schertz, 2945 North Second Street
Ms. Peggy Grove, 2920 Parkside Lane
Mr. Randy Shaeffer, 2971 & 2973 North Second Street
Ms. Susan Roach, 2600 Green Street
Ms. Mary Knackstedt, 2901 North Front Street
Mr. Steve and Mrs. Bette Weinberger, 240 Division Street
Ms. Irene Appleyard, 2930 Green Street
Mr. Willis Shirk, 2957 North Second Street
Mr. John Reitz, 2904 North Second Street
Mr. Dennis Novinger (no address given)
Mr. Ryan Baker, 2940 North Second Street
Mr. Frank Baxter, Vartan Goup
Mr. Jack Shaub, Sutliff Chevrolet
Mr. Joe Wojtysiak, HACC
Mr. Bill Morgan, Project Manager, Eastern PCM

CALL TO ORDER: 6:40 P.M.

MINUTES: Minutes of the regular meeting on July 1, 2009 were approved. The motion was made by Commissioner Jackson, seconded by Commissioner O'Toole, and approved unanimously (3-0). Commissioner Shaeffer was not present at the time of the vote.

NEW BUSINESS:

- 1. Zoning Map Amendment for Academy Manor, located within the Special Planned Development (SPD) and Residential Single-Family (RSF) zoning district, filed by City of Harrisburg (to file an amendment to Article 7-331 of the Planning and Zoning Code on June 10, 2009, in order to amend the "Historic Harrisburg" zoning overlay district by creating the Academy Manor Municipal Historic District).**

Ms. Boyer gave a synopsis of the Planning Bureau report. Mr. Craig Peiffer from the City of Harrisburg Planning Bureau represented the case. Mr. Peiffer gave a brief presentation to the Commissioners explaining the proposed municipal historic district. Mr. Peiffer explained that the City has six municipal historic districts. In 2005, the Planning Bureau proposed the establishment of the Academy Manor Municipal Historic District. The Pennsylvania Municipalities Code (MPC) charges local municipalities with the responsibility of protecting historical resources. Academy Manor was an early 20th century site. The land was annexed in 1917. To date, no demolitions have occurred, and the City would like to preserve the existing buildings. Academy Manor is a planned community with restricted covenances. Some benefits of being in a municipal historic district are the sense of community, neighborhood pride, protection of investment, increased property values over time, and cultural significance.

In July 2009, the City held an information meeting for the property owners to discuss the historic district review process and to answer any questions concerning historic districts. Mr. Peiffer also noted that there is a FAQ page that will be on the City's website in two weeks. This is an evolving document, and he encouraged everyone to come up with additional questions that could be added to the list to address municipal historic districts and the HARB review process.

Commissioner Jackson stated that Riverside was annexed in 1917. He wanted to know if, at that time, were there any buildings at this site. Mr. Peiffer said that yes, there was. The Boys Academy was built between 1908 and 1910. Most of the homes you see today in Academy Manor were constructed between 1922 and 1955.

Commissioner O'Toole asked what was approved in 2005. Mr. Peiffer stated that the Planning Commission recommended approval of the proposed district, but City Council did not hear the case. Mr. Peiffer noted that the boundary lines are the same as they were in 2005.

Commissioner O'Toole asked what would happen if the district was approved and someone wanted to paint their house and replace their windows. Mr. Peiffer said that the historic district guidelines cannot dictate what color someone paints their house. Mr. Peiffer said that any windows which are visible from a public right-of-way must adhere to the historic district guidelines. The City would recommend in-kind replacement, and

the City is willing to work with the applicant to come up with an appropriate replacement. There is no review process for windows that are not visible along a public right-of-way. The property owner can choose any type of window.

Commissioner O'Toole asked what constituted a public right-of-way. Mr. Peiffer said that any primary, secondary, or tertiary street is considered a public right-of-way. Walker alleys are not included.

Commissioner Alsberry asked if anyone from the public would like to speak in favor or in opposition of the project. Mr. David Morrison spoke in favor of the project. He stated that he has lived in a municipal historic district for more than 30 years. These districts are beneficial. They protect property owners from neighbors who may sabotage the district, either through lack of knowledge or deliberate defiance to the neighborhood. Mr. Morrison also stated that he often hears fear from people. He feels that those who fear historic districts do not understand them. Historic districts prevent demolition and unfavorable changes. Most proposals that come before HARB are legitimate proposals and are approved. Mr. Morrison also stated that without the historic district, we would lose valuable homes. Homes would be torn down to build condos. Historic districts preserve the beauty and traditions of neighborhoods.

Ms. Kara Russell also spoke in favor of the proposed district. Ms. Russell works to preserve historical districts and stated that around the country, people are trying to get historic districts established. Ms. Russell is glad to see that people want to preserve this neighborhood. It will be good for the neighborhood. Ms. Russell asked for people not to be afraid, and she thinks that most people do not understand historic districts. Ms. Russell also noted that a common fear is that people cannot put in vinyl windows. She said that vinyl windows do not last, and that replacing the existing wood windows can be inexpensive and energy efficient.

Mr. Bob Roscoe spoke in favor of the proposed district. Mr. Roscoe stated that he moved to the neighborhood about eight years ago. He selected this neighborhood because of its beauty. He would like to see it preserved. Mr. Roscoe also spoke on behalf of his neighbors at 124 Manor, who were unable to attend the meeting. Mr. Roscoe said that his neighbors are in favor of the project as well.

Ms. Laura Gregorits spoke in favor of the proposed district. Ms. Gregorits said she has lived in this neighborhood for approximately 11 years. She would like to see the integrity and the beauty of the homes preserved. Ms. Gregorits said that people from all over come to live in this neighborhood because of its beauty. Ms. Gregorits also agrees with Ms. Russell about the vinyl windows.

Mr. Dennis Novinger stated that he was not necessarily for or against the District, but believed it was only being proposed in order to target one property owner.

Ms. Debra Jamieson spoke in opposition to the proposed district. Ms. Jamieson feels that the only reason the City is trying to make the neighborhood into a historic district is to go after one individual and three properties. If this is the case, then she opposes the project.

Ms. Linda Goldstein said that she is not in favor or in opposition of the project. Ms. Goldstein wanted to honor the fact that not everyone was in attendance. Ms. Goldstein said that some people did not know about the meeting. The Board should consider everyone's opinion. Ms. Goldstein also noted that Academy Manor residents do have restrictions in their deeds, stating what they can and cannot do to their properties. Ms. Goldstein feels that the proposed historic district is all about the Mary Knackstedt properties. If the City is concerned about Ms. Knackstedt's three properties, then the City should take control of the properties in another way. The City has not cited these properties.

Ms. Dena Linn Rockoff spoke in opposition of the project. Ms. Rockoff stated that she has lived in this neighborhood for approximately 24 years, and during that time she has never seen anything inappropriate going on. The City does not need to tell people what to do. Ms. Rockoff said that when she moved in there were criminal activities taking place in Italian Lake. The police have now corrected that problem, and she would like to see it stay that way.

Mr. David Schertz said that he just bought his property, but did grow up in the neighborhood. Mr. Schertz stated the people should be able to do what they want to do to their properties. Mr. Schertz also said that everyone in the neighborhood should have been notified.

Commissioner Alsberry asked the staff if everyone from the neighborhood had been notified. Ms. Stowell said that all property owners had been notified of the information meeting on July 15, 2009. At that meeting, City staff did mention that they would be coming before the Planning Commission on August 5, 2009. After the meeting, a packet of information was sent out to all property owners in Academy Manor who did not attend the July 15th meeting, which also included a notice of the August 5th Planning Commission meeting. The neighborhood was also posted with public meeting notices. The agenda was also posted on the City website.

Ms. Peggy Grove mentioned that the Dauphin County Planning Commission held a meeting to review the application. Ms. Grove wanted to know why the neighborhood was not notified of that meeting. Ms. Stowell indicated that the Dauphin County Planning Commission reviews certain applications that are submitted to the City. By State law, the City is not required to notify property owners about the Dauphin County Planning Commission meeting.

Commissioner Shaeffer asked the audience to raise their hand if they did receive notice of the Planning Commission meeting. It was determined that about half of the people present were aware of tonight's meeting and the other half were not.

Commissioner Shaeffer moved and Commissioner Jackson seconded the motion to continue hearing the case at next month's regularly scheduled meeting on September 2, 2009. The motion was adopted by unanimous vote (4-0).

2. **Special Exception for 1539, 1541, 1543 North Sixth Street, located within the Business General (BG) zoning district, filed by Vartan Group, Inc. (to extend the temporary special exception for the use of the property as a surface parking lot for an additional two year period).**

Ms. Boyer gave a synopsis of the Planning Bureau report. Mr. Frank Baxter from the Vartan Group represented the case. Mr. Baxter noted that he is amenable to the conditions listed in the report.

Commissioner Alsberry asked if this parking lot was for the high-rise project that recently came before City Council. Mr. Baxter noted that the mixed-use building will be constructed at the corner of 6th and Reily Streets.

No public comment was given.

Commissioner O'Toole moved and Commissioner Jackson seconded the motion to approve the request with the conditions and for the reasons listed in the staff report. The motion was adopted by unanimous vote (4-0).

3. **Special Exception for 1601, 1603, 1605 North Sixth Street, located within the Business General (BG) zoning district, filed by Vartan Group, Inc. (to extend the temporary special exception for the use of the property as a surface parking lot for an additional two year period).**

Ms. Boyer gave a synopsis of the Planning Bureau report. Mr. Frank Baxter from the Vartan Group represented the case. Mr. Baxter noted that he is amenable to the conditions listed in the report.

No public comment was given.

Commissioner Jackson moved and Commissioner O'Toole seconded the motion to approve the request with the conditions and for the reasons listed in the staff report. The motion was adopted by unanimous vote (4-0).

4. **Special Exception for 1610, 1614, 1616, 1618, 1620, 1622, 1624 Wallace Street, located within the Residential Planned Conversion (RPC) zoning district, filed by Vartan Group, Inc. (to extend the temporary special exception for the use of the property as a surface parking lot for an additional two year period).**

Ms. Boyer gave a synopsis of the Planning Bureau report. Mr. Frank Baxter from the Vartan Group represented the case. Mr. Baxter noted that he is not amenable to the conditions listed in the report. Mr. Baxter explained that the properties are part of a larger master plan, and part of the KOZ plan. The proposed parking lot on these properties is to attract tenants to their future buildings at 1633 and 1640 North 6th Street. It also validates parking demand in the area to justify construction of a parking garage.

Commissioner Shaeffer asked if anything is planned in the next two years. His concern is that this request will go on for many more years. Mr. Baxter noted that Vartan is requesting this approval as a temporary solution to get their other buildings in place. It is not intended to be a permanent surface parking lot. The final plans for these properties are a mixed-use building.

Commissioner Alsberry was concerned that since 2006 there have not been any plans to build on this site or pave the lot. He asked if a construction date had been determined, or will this lot remain vacant for the next 4 – 5 years. Mr. Baxter said that since the economic downturn over the past several months, it has made development even more difficult than it previously had been. Vartan is seeking KOZ opportunities to pursue occupants to their buildings. In order to fill the space in the buildings, their tenants will need to have off-street parking.

Commissioner Jackson wanted to know if the 7th Street widening project will affect this property. Mr. Baxter stated yes, it will. Mr. Baxter feels that once the 7th Street widening project begins, people will realize that the area is evolving. It will then make it easier for Vartan to attract tenants to their buildings. Again, with the increased demand for parking, it will begin to justify the need for a parking garage.

Commissioner O'Toole asked if there were any plans to pave the lots if the request were to be approved. Mr. Baxter stated that right now they are continuing to maintain the fence and clean up the property on a weekly basis. Their thought is that as soon as the other buildings are in place, there will be no need for the temporary lots and the use will be eliminated.

Commissioner Alsberry wanted to know if people are willing to park in these lots. Mr. Baxter said that their purpose is not to create a steady income on the parking lots. Currently, they only charge \$35.00 a month. The idea is to have open land and parking lots available to move forward on their other projects, until a parking garage is constructed. Mr. Baxter also noted that people who work for the State do currently park along 6th Street.

Commissioner Alsberry asked why the other lots were paved along North 6th Street and not these properties. Mr. Baxter said that the parking lot in the 1500 block of North 6th Street is there to provide additional spaces to their 1500 North 6th Street project, at the corner of Reily and 6th Streets. The parking lot in the 1600 block of North 6th Street is allocated to their building at 1640 North 6th Street. The properties along Wallace Street are designated for their project at 1633 North 6th Street. However, they do not intend to pave it until the spaces are needed.

No public comment was given.

Commissioner Jackson moved and Commissioner Shaeffer seconded the motion to approve the request with the conditions and for the reasons listed in the staff reports for the previous special exception cases. The motion was adopted by unanimous vote (4-0).

5. Street Vacation for 1000 Paxton Street, located within the Light Industrial (ML) zoning district, filed by Sutliff Enterprises, Inc (to vacate a portion of a street formerly known as Paxton Street).

Ms. Boyer gave a synopsis of the Planning Bureau report. Mr. Jack Shaub from Sutliff Enterprises represented the case. Mr. Shaub noted that he is amenable to the conditions listed in the staff report. Mr. Shaub noted that there are already two easements on the property for maintenance of water, sewer, gas, and phone. They cannot build on this portion of their property. Mr. Shaub also noted that next spring PennDOT is planning to advertise for projects to demolish the bridge at the intersection of Cameron and Paxton Streets, and carry out traffic improvements.

Commissioner O'Toole asked what the use of the property is. Mr. Shaub said that right now Sutliff is not using it. The property is for sale. They do have an agreement with HACC to allow them to do tractor trailer driving for the CDL license training program. Most of the students practice parking and backing up. They also allow the Police Bureau to work on their vehicles along the back of the property.

Commissioner Shaeffer asked if there were any signs on the property indicating that HACC students are using it for training purposes. Mr. Shaub said there were no signs.

Commissioner Shaeffer wanted to know what the plans are for this property. Mr. Shaub said that Sutliff does plan to sell the property. They want to clean up the paperwork on the property before it is sold.

No public comment was given.

Commissioner O'Toole moved and Commissioner Jackson seconded the motion to approve the request with the conditions and for the reasons listed in the staff report. The motion was adopted by unanimous vote (4-0).

6. Special Exception for 3300 North Cameron Street (One HACC Drive), located within the Heavy Industrial (MH) zoning district, filed by Harrisburg Area Community College (HACC) (to request relief of the signage requirements to allow for one free-standing sign that exceeds 150 square feet, and to construct the sign in the 100-year floodplain).

Ms. Boyer gave a synopsis of the Planning Bureau report. Mr. Joe Wojtysiak from Harrisburg Area Community College (HACC) represented the case, and was accompanied by Mr. Bill Morgan, Project Manager for Eastern PCM. Mr. Wojtysiak stated that he is amenable to the conditions in the staff report. Mr. Wojtysiak noted the initial concept for the new sign began with a location being closer to the intersection of their campus. The sign area was also larger. Upon review, HACC decided to move the sign back 100 feet before someone coming onto the campus has to decide whether to turn left or right. This greater distance will diminish the need for vehicles to cut across traffic lanes. Mr. Wojtysiak feels that this is a viable project.

Mr. Wojtysiak also stated that another reason for the sign is that HACC is a two-year college with a high turnover rate of students. Currently, there are more than 10,000 students who attend classes at this campus. The campus was originally designed to accommodate 7,500 students. There are 1,200 community colleges in the nation. HACC is the 64th largest community college in the nation.

Mr. Wojtysiak noted that the area is in the 100-year floodplain. In 1972 there was flooding to this area. In the 1980s, HACC raised the area by 1 ½ feet. Since then, there has not been any flooding to the area.

Commissioner Alsberry stated that this is a good formal project. He said that most colleges have a gate over their entryway. He has also seen the campus grow over the years. It is now hard to find a parking spot because the college has grown so much. This sign shows the actual entrance into HACC.

Commissioner Shaeffer asked if the sign would be illuminated. Mr. Wojtysiak said that they may add some lighting in the future, but the sign would be lit from the ground. The lighting would not be part of the sign.

Commissioner Shaeffer asked how many students are enrolled at HACC, including all the satellite campuses. Mr. Wojtysiak said that there are 23,000 students in total. In 2006, the York campus has 900 students. Today there are about 2,500 students, and HACC has recently purchased adjacent properties to accommodate the growth.

Commissioner Jackson asked what the other sign does at the main entrance. Mr. Wojtysiak said that the sign at the corner of Elmerton Avenue has a digital screen that announces upcoming events.

No public comment was given.

Commissioner O'Toole moved and Commissioner Shaeffer seconded the motion to approve the request with the conditions and for the reasons listed in the staff report. The motion was adopted by unanimous vote (4-0).

7. Re-Use of Blight Certified Property for 1622 Market Street, located within the Residential Two Family Zone A (R2A) zoning district, filed by Harrisburg Property Reinvestment Board (to certify that the re-use of blight certified property is in conformance with the General Plan of the City of Harrisburg).

Commissioner Shaeffer read the report stating the property is blighted.

Commissioner Shaeffer moved and Commissioner O'Toole seconded the motion to approve the request for the reasons listed in the staff report. The motion was adopted by unanimous vote (4-0).

CONTINUANCE:

- 8. Zoning Map Amendment for 1915, 1917, 1919, 1921, 1927 Brookwood Street; 625, 630, 631, 633, 635, 637, 639, 641 Dunkle Street, zoned Residential Zone No. 5 (r-5) and Business General (BG), filed by Edwin L. Heim Company (to rezone the properties from Business General (BG) and Residential Zone No. 5 (R-5) to Light Industry (ML)).**

The applicant requested a continuance for their case.

ADJOURNMENT:

Commissioner Shaeffer moved and Commissioner O'Toole seconded the motion to adjourn. The meeting adjourned at 8:32 P.M.