

York City Planning Commission Meeting Minutes

Monday, January 13, 2020 – 6:30 PM
City Council Chambers
101 S George St, 1st Floor, York, PA 17401

1. Opening

Chair Michael Johnson called the regular meeting of the York City Planning Commission to order at 6:30 PM.

2. Roll call

Present: Planning Commission

Michael Johnson, Chair
Kittrell Barnes, Vice Chair
Matthew Davis
Chris Velez
Corey Wolfe
Maribel Burgos

Present: Staff

Mike Pritchard, Planner
Nancy Griffin, Zoning Officer

3. Election of officers

Mr. Johnson passed the gavel to Mr. Barnes. Mr. Barnes called for nominations for Chair of the Planning Commission. **Mr. Velez nominated Mr. Johnson for Chair. Ms. Burgos seconded.** The Commission heard no other nominations for Chair. **The motion carried unanimously.** Mr. Barnes passed the gavel to Mr. Johnson.

Mr. Johnson called for nominations for Vice Chair of the Planning Commission. **Mr. Barnes nominated Mr. Davis for Vice Chair. Mr. Wolfe seconded.** The Commission heard no other nominations for Vice Chair. **The motion carried unanimously.**

Mr. Johnson called for nominations for Secretary of the Planning Commission. **Ms. Burgos nominated Mr. Velez for Secretary. Mr. Davis seconded.** The Commission heard no other nominations for Secretary. **The motion carried unanimously.**

4. Minutes of the December 9 meeting

Action: Mr. Barnes moved to approve the minutes as presented. Mr. Velez seconded. The motion carried unanimously.

5. December Zoning Hearing Board report

Ms. Griffin gave a summary of the Zoning Hearing Board's decisions at their December meeting.

6. Unfinished business

The Commission had no unfinished business.

7. New business

A. Zoning

i. **1-2020-Z-V** 55 S Richland Ave

Mr. Timothy Anderson of Pepper Hamilton, attorney for the applicant, presented the facts of the case. The applicant is requesting a variance to allow a non-residential use on the second floor. Mr. Anderson also noted that at the Zoning Hearing Board meeting, the applicant will be requesting an amendment to their appeal to include non-residential use in the basement of the property.

Ms. Angela Fiore-Torres, COO of the RASE Project, gave an overview of the RASE model of recovery centers and programs. She also described the floor plan for the building as proposed by the applicant.

Mr. Gregg Doshna of High Associates gave further detail to the proposed floor plan.

Ms. Fiore-Torres said that regulations require confidential space for individuals to meet with counselors. Mr. Anderson and Mr. Doshna noted that the size and layout of the first floor does not allow for such confidential space and that the second floor is more appropriate; this is the hardship from which the applicant is requesting relief.

Mr. Doshna said that South Richland Avenue is a mixed-use corridor and that this use would fit well in the neighborhood. Mr. Anderson asked the Commission to recall that the zoning ordinance allows this use by right in this zoning district and that the applicant's appeal is for a dimensional variance.

Mr. Frank Storm named his concerns with the proposed use. In response to those concerns, Ms. Fiore-Torres informed the Commission of the following: that parts of the first floor will be open to the public as a "drop-in" resource center; that the RASE project proposes to have six residents; that the residents will not have outdoor recreation areas; that all residents will be male; and that all residents will have first shift jobs, will have a 10:00 PM curfew, and must attend a 12-step program each evening.

Mr. Michael Kope informed the Commission that he thinks the proposed use is, "a bad idea," and that "other recovery [houses] are not working."

Ms. Robin Klunk of 101 S Richland Ave told the Commission about her concerns for the proposed use. Namely, that parking will not be adequate; that the use will devalue property values; that she disagrees with Mr. Doshna's assertion that the use will not change the neighborhood; and that she is concerned about children living next door to the proposed use.

Mr. Anderson told the Commission that the RASE Project has worked in Harrisburg for the past 18 years and has a similar program in the city of Lancaster. He added that although RASE's is a non-profit, the property will, "remain on the tax rolls."

Mr. Johnson asked about the RASE Project's certifications. Ms. Fiore-Torres said the program is certified nationally through the CAPRRS program and with the state through the Pennsylvania Association of Recovery Residents.

Mr. Davis asked whether denial of the variance would prohibit the proposal from moving forward. Ms. Fiore-Torres confirmed.

Mr. Davis moved to recommend approval of a variance to allow a commercial use on the second floor of the property at 55 South Richland Avenue. Mr. Barnes seconded. The motion carried unanimously.

ii. **2-2020-Z-V** 484-486 W Springettsbury Ave

Mr. Joe Musso, consulting engineer for the applicant, presented the application. Cornerstone Youth Home requests a special exception to allow a group home for up to eight youth occupants at the property. The zoning ordinance allows a group home with fewer than six residents by right in this zoning district. Mr. Musso noted that the Zoning Officer gave a determination of the group home use (§1304.1-1.4.1.b).

Mr. Musso said the applicant is also seeking a waiver of the parking requirement. The provisions of this use allow for this waiver by Zoning Hearing Board, "if evidence is provided that due to the nature of the group home, the residents would not operate vehicles." The proposed residents will not be old enough to legally drive a vehicle.

Dawn Squire of Cornerstone Youth Home described the planned activity at the property. The proposal is a, "long-term solution for homeless students." Students will live at the property from Sunday night to Thursday night and with their families Friday and Saturday nights. The applicant's purpose is to, "assist with stabilizing the student and improving families."

Mr. Barnes asked about the age of the students. Ms. Squire responded that they will be boys in second through fourth grades.

Mr. Musso discussed the Uniform Construction Code requirement of a minimum of 200 square feet per occupant. At more than 5,000 square feet, this property could have 25 residents, per the UCC. Mr. Musso added that this property has been a group home in the past.

Ms. Mieke Driscoll, attorney for the applicant, added that the applicant will not be seeking property tax exemption.

Mr. Velez moved to recommend approval of a special exception to allow a group home with no more than eight occupants, as defined in §1304.1-1.4.1(b), at 484-486 West Market Street in the UN-2 zoning district. Mr. Barnes seconded. The motion carried unanimously.

Mr. Velez moved to recommend approval of a waiver of the parking requirement for a group home with more than five residents, as allowed by §1304.1-1.4.1.d, for the property at 484-486 West Market Street. Ms. Burgos seconded. The motion carried unanimously.

iii. **3-2020-Z-V 18 N Penn St**

The applicant, Mr. Jermaine Jamison, described his proposal for a sandwich shop at the property. Mr. Jamison has been running a rim/tire shop at this location but wishes to change businesses. He proposes to sell, “subs and salads.” The Zoning Officer determined that the zoning ordinance defines this use as a quick serve eating establishment in §1304.1-4.4.3 and that the zoning ordinance does not allow this use in this zoning district.

Mr. Rich Washington informed the Commission of his support for the proposal as an, “excellent use,” that will fill a void in the neighborhood since Bob’s Newsstand closed.

Ms. Burgos moved to recommend approval of a variance to allow a quick serve eating establishment, as defined in §1304.1-4.4.3, at 18 North Penn Street in the UN-2 zoning district. Mr. Barnes seconded. The motion carried unanimously.

B. Subdivision and land development

i. **Lot 2 of the area known as the Northwest Triangle Final Land Development Plan**

Ms. Kathy Conley of RGS Associates, consultants for the applicant, gave an overview of the proposal to build a commercial building on the property.

Mr. Velez moved to recommend approval of a waiver of the requirement to submit a preliminary plan (§1333.03). Mr. Barnes seconded. The motion carried unanimously.

Mr. Barnes moved to recommend approval of a wavier from the definition of existing condition in the stormwater management ordinance (§936.AG) and approval of the request to use the characteristics of the site as it was prior to demolition as the basis for existing condition calculations. Mr. Wolfe seconded. The motion carried unanimously.

Mr. Wolfe moved to recommend approval of the proposed land development plan for Phase I of the Northwest Triangle Innovation District contingent upon the applicant addressing the remaining comments from the County Planning Commission and the City Engineer prior to approval by City Council. Mr. Barnes seconded. The motion carried unanimously.

ii. **200 block of West Springettsbury Avenue Final Land Development Plan**

Ms. Jennifer Lee of Derck Edson, consultants for the applicant, gave an overview of the proposal to build two dormitories on the property.

Mr. Johnson and Dr. Ken Martin of York College discussed lighting on Butler Street. Mr. Johnson asked whether the proposed “shoebox” LED lights could be changed to provide night lighting on Butler Street, to improve pedestrian visibility and safety. Dr. Martin confirmed that York College is amicable to revising the lighting plan to meet this goal.

Mr. Velez moved to recommend approval of a waiver of the requirement to submit a preliminary plan (§1333.03). Mr. Wolfe seconded. The motion carried unanimously.

Mr. Davis moved to recommend approval of a waiver of the requirement to install curb and sidewalks along Butler Street (§1336.03). Ms. Burgos seconded. The motion carried unanimously.

Following debate and adoption, Mr. Davis moved to recommend approval of a waiver of the requirement to install street lights along Butler Street (§1336.11) if the applicant can add a second head or revise the hood of the proposed lighting fixtures to light Butler Street. Mr. Velez seconded. The motion carried unanimously.

Mr. Barnes moved to recommend approval of the proposed land development plan for 201 West Springettsbury Avenue contingent upon the applicant addressing the remaining comments from the County Planning Commission and the City Engineer prior to approval by City Council.

iii. **243-245 West King Street Final Reverse Subdivision Plan**

Mr. Robert Sandmeyer of Site Design Concepts, consultant for the applicant, gave an overview of the proposal to combine the lots into a single parcel. Mr. Sandmeyer noted that the Zoning Hearing Board approved required variances for this plan in October.

Mr. Velez moved to recommend approval of a waiver of the requirement to submit a preliminary plan (§1333.03). Mr. Barnes seconded. The motion carried unanimously.

Mr. Velez moved to recommend approval of the proposed reverse subdivision plan for 243 & 255 West King Street contingent upon the applicant addressing the remaining comments from the County Planning Commission and the City Engineer prior to approval by City Council.

iv. **243-245 West King Street Final Land Development Plan**

Mr. Robert Sandmeyer of Site Design Concepts, consultant for the applicant, gave an overview of the proposal to build Logos Academy's Upper School (9th through 12th grades) on the property.

Mr. Bryan Platania, Operations Manager for Logos Academy, responded to questions from the Commission. Mr. Platania said the proposal calls for 144 students and 16 staff members. The proposal provides more than the minimum number of required parking spaces. Mr. Platania added that Logos Academy has had students of driving age enrolled since 2011, but only a few drive to school.

Mr. Davis moved to recommend approval of a waiver of the requirement to submit a preliminary plan (§1333.03). Mr. Barnes seconded. The motion carried unanimously.

Mr. Davis moved to recommend approval of waiver of the requirement to install street lights along King Street (§1336.11). Ms. Burgos seconded. The motion carried unanimously.

Mr. Davis moved to recommend approval of the proposed land development plan for 243 & 245 West King Street contingent upon the applicant addressing the remaining comments from the County Planning Commission and the City Engineer prior to approval by City Council. Mr. Velez seconded. The motion carried unanimously.

C. Open forum

i. **Selection of representative to Vacant Property Review Committee**

Mr. Velez moved to appoint Mr. Davis as the Planning Commission's representative on the Vacant Property Review Committee. Mr. Barnes seconded. The motion carried unanimously.

ii. **York City Comprehensive Plan**

Mr. Pritchard informed the Commission of the next Plan Team meeting scheduled for January 22 from 6:00 to 8:00 PM.

8. Adjournment

Mr. Johnson adjourned the meeting at 8:40 PM.