



York City Planning Commission Meeting Minutes

Monday, October 12, 2020 – 6:30 PM
Held via Zoom teleconference

1. Opening

Noting quorum, Chair Michael Johnson called the regular meeting of the York City Planning Commission to order at 6:35 PM.

2. Roll call

Present: Planning Commission

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

Present: Staff

Mike Pritchard, Planner
Nancy Griffin, Zoning Officer

3. Minutes of the September meeting

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

4. Committee reports

a. Zoning Hearing Board

Ms. Griffin summarized the Zoning Hearing Board's decisions at their September meeting.

5. Unfinished business

The Commission had no unfinished business.

6. New business

a. Zoning

i. **23-2020-Z-V** 1052 E Poplar St

Ms. Griffin summarized the appeal. The applicant is seeking a variance to the minimum side setback requirement of 10 feet to build a concrete patio and screened-in porch attached to the existing home permitted use in this zoning district. Staff recommends denial of the variance.

Mr. Ron Senft, contractor for the applicant, responded to questions from the Commission. The applicant wishes to build the screened-in porch approximately one foot from the property line. The applicant's existing chain link fence will connect to the porch.

ACTION: Mr. Davis moved to recommend approval of a variance to the minimum side setback requirement, as defined in Table 1310.10, for the property at 1052 E Poplar St in the RS-2 zoning district. Mr. Velez seconded. The motion carried unanimously.

ii. **24-2020-Z-V** 100 N Pershing Ave

Ms. Griffin summarized the appeal. The applicant is seeking a variance to construct a communication transmitting and receiving facility on a new utility pole. Staff recommends approval of the variance.

Mr. Velez asked staff to confirm that this proposal does not interfere with existing plans for street vacation and changes to the Susquehanna Commerce Center parking lot prior to the Zoning Hearing Board's review.

ACTION: Mr. Davis moved to recommend approval of a variance to permit a communication transmitting and receiving facility, as defined in §1304.1-6.1.3, on a new utility pole at 100 N Pershing Ave in the CBD zoning district. Mr. Velez seconded. The motion carried unanimously.

iii. **25-2020-Z-V/SE** 259 W Springettsbury Ave

Ms. Griffin summarized the appeal. The applicant requests a variance and special exception to allow the conversion of a single-family home to a multi-family home. Multi-family – conversion from a different use, as defined in §1304.1-1.2.2, must be a conversion from “a commercial, industrial, or institutional building.” The proposal does not meet this definition, and therefore, requires a variance from this section. This use is permitted by special exception in this zoning district. Staff recommends denial of the variance.

Mr. Ras Dean responded to questions from the Commission. Mr. Dean intends to convert the single-family home, which is approximately 4,600 square feet, to four units. The property has eight existing parking spaces. Mr. Dean explained that he proposed four units (as opposed to two or three) because that number makes the project economically feasible for himself and for potential tenants by reducing utility costs. Mr. Dean noted that the property has been vacant for approximately 30 months and in that time, he has unsuccessfully tried to both rent and sell it as a single-family home.

ACTION: Ms. Burgos moved to recommend approval of a variance to the definition of multi-family dwelling – conversion from a different use, as defined in §1304.1-1.2.2, for the property at 259 W Springettsbury Ave in the MUI-2 zoning district. Mr. Barnes seconded. Mr. Johnson voted in the negative. Mr. Davis, Mr. Velez, Mr. Barnes, Ms. Burgos, and Mr. Wolfe voted in the affirmative. The motion carried.

ACTION: Ms. Burgos moved to recommend approval of a special exception to allow a multi-family dwelling – conversion from a different use, as defined in §1304.1-1.2.2, for the property at 259 W Springettsbury Ave in the MUI-2 zoning district. Mr. Wolfe seconded. Mr. Johnson voted in the negative. Mr. Davis, Mr. Velez, Mr. Barnes, Ms. Burgos, and Mr. Wolfe voted in the affirmative. The motion carried.

iv. **26-2020-Z-V/SE** 20 N Penn St and 411 W Market St

Ms. Griffin summarized the appeal. The applicant requests a special exception to allow the conversion of a commercial building to a multi-family home. Further, the applicant requests a dimensional variance for 25 units, 17 more than the number permitted, per the size of the parcel, in the UN-2 zoning district, and a variance to the minimum parking requirement from 38 off-street spaces to 17 off-street spaces. Staff recommends approval of the variance for the number of units and recommends denial of the variance to the minimum number of parking spaces.

Mr. Ras Dean responded to questions from the Commission. Mr. Dean intends to convert the three buildings on two parcels to 25 market rate apartments. He noted that the property has been vacant for many years and was last used as a group home for immigrants by Golden Visions. Mr. Dean intends to demolish a building internal to the site that was previously a movie theater.

Mr. Jason Turnbull of ROCK Real Estate asked the City and Commission to support this project as an important revitalization effort adjacent to the Roosevelt Tavern, Penn Market, and other neighborhood amenities.

Mr. Velez and Mr. Davis agreed with staff's assessment that parking supply is an ongoing concern in this neighborhood. Mr. Barnes noted that the Redevelopment Authority owns a small parking lot at the corner of Penn St and Philadelphia St that may solve Mr. Dean's lack of parking issue.

ACTION: Mr. Davis moved to recommend approval of a variance to the maximum number of units of a multi-family dwelling – conversion from a different use, as defined in §1304.1-1.2.2, for the properties at 20 N Penn St and 411 W Market St in the UN-2 zoning district. Ms. Burgos seconded. The motion carried unanimously.

ACTION: Mr. Davis moved to recommend approval of a variance to the minimum number of off-street parking units for a multi-family dwelling – conversion from a different use, as defined in §1304.1-1.2.2, to one space per unit for the properties at 20 N Penn St and 411 W Market St in the UN-2 zoning district. Mr. Velez seconded. The motion carried unanimously.

ACTION: Mr. Davis moved to recommend approval of a special exception for a multi-family dwelling – conversion from a different use, as defined in §1304.1-1.2.2, study for the properties at 20 N Penn St and 411 W Market St in the UN-2 zoning district, contingent upon approval of a land development plan and traffic study. Mr. Velez seconded. The motion carried unanimously.

v. **27-2020-Z-V** 437 S Queen St

Ms. Griffin summarized the appeal. The applicant requests a dimensional variance to increase the maximum retail area or area designated for public use of an existing building to more than 1,000 square feet in a Neighborhood Commercial use, as limited by §1304.1-4.9. Applicant is proposing 2,484 square feet. Staff recommends approval of the variance.

Mr. Joe Musso, consultant for the applicant, responded to questions from the Commission. Mr. Johnson asked what types of products the applicant sells. Mr. Musso said both groceries and a hot food buffet.

Mr. Pritchard noted that parking is not required for a Neighborhood Commercial use, but that the proposal also exceeds the minimum number of parking spaces required for the similar non-neighborhood use, General Retail.

ACTION: Mr. Davis moved to recommend approval of a variance to exceed the maximum retail area or area designated for public use of 1,000 square feet, as required by §1304.1-4.9, for the property at 437 South Queen Street in the UN-1 zoning district. Ms. Burgos seconded. The motion carried unanimously.

b. Subdivision and land development plans

i. 1001 W Market St

Mr. Pritchard gave an overview of the sketch plan for a convenience store and retail space at the location. Mr. Pritchard reviewed the comments from the City Engineer.

Mr. Tom Austin of Transportation Resource Group and consulting engineer for the applicant described the proposal. City staff requested the applicant bring this proposal to the Planning Commission before the PennDOT Transportation Impact Study Scoping Meeting, so that City staff may participate with the Planning Commission's consent and comments.

Mr. Austin said that the estimated trip generation for the proposal is lower than the previous use (Printostat) and a previous proposal from Turkey Hill. The applicant intends to construct a medium volume full access driveway on West Market Street, per PennDOT specifications. The applicant also intends to construct a full access driveway on Richland Avenue with time-restrictions for left turns during peak traffic volumes.

Mr. Austin noted the importance of designing the entrances to be pedestrian-friendly and following the City's Complete Streets policy, given the proposed uses. Constructing a "porkchop" (concrete median) to fully restrict left turns onto and from Richland Avenue will make the driveway larger, thereby increasing the distance pedestrians must travel in possible conflict with vehicles.

The Planning Commission confirmed Mr. Pritchard's summary of their comments: the City Engineer's concerns about a full access driveway on Richland Avenue are valid and need to be studied further, but time restricting turns may be an acceptable solution at this location; the City will defer to PennDOT's Highway Occupancy Permit process in regards to the proposed access on Market Street; the Commission supports the overall layout of the site; and the Commission wishes to see demarcation of the "build-to" line on the property, possibly in the form of a low wall and signage, which is similar to the treatment of the Turkey Hill at the intersection of Market St and Harrison St.

7. Adjournment

Mr. Johnson adjourned the meeting at 8:37 PM.