

York City Planning Commission Meeting Minutes
Monday, August 9, 2021 – 6:30 PM
Council Chambers, City Hall (101 S George St, York PA 17401)

1. Opening

Noting quorum, Chair Michael Johnson called the regular meeting of the York City Planning Commission to order at 6:32 PM.

2. Roll call

Present: Planning Commission

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

Present: Staff

Mike Pritchard, Planner
Nancy Griffin, Zoning Officer
Sharee McFadden, Blight Coordinator

Excused absences: Planning Commission

Kittrell Barnes

3. Minutes of the July meeting

ACTION: Mr. Velez moved to approve the minutes. Ms. Burgos seconded. The motion carried unanimously.

4. Committee reports

a. Zoning Hearing Board

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

b. Comprehensive Plan Update

Mr. Pritchard said that 163 people have responded to an online survey about neighborhoods and staff has had about 100 one-on-one conversations about neighborhood assets and opportunities during the last three weeks of public outreach. The next step for the Comprehensive Plan is to convene working groups for each objective.

5. Unfinished business

a. Blighted property considerations

i. Foundry Lofts subdivision and land development plans

At the recommendation of staff, **Mr. Davis moved to table consideration of a blighted property at 351 South Penn Street for another 30 days. Mr. Velez seconded. The motion carried unanimously.**

6. New business

Mr. Johnson amended the agenda to move Case 19-2021-Z-V to the top of New Business.

Case 19-2021-Z-V | 959-961 W College Ave

Mr. Anthony Shinsky, applicant and property owner summarized the proposal. Mr. Shinsky purchased the property in May of 2021. He intends to build a small neighborhood use on the first floor with an apartment above. The total building footprint is about 1,000 square feet per story. He proposes six parking spaces on the lot.

Mr. Davis moved to recommend approval of a variance to allow two vacant lots at 959-961 West College Avenue to be constructed to a two-story “commercial combined with an apartment” use. Mr. Wolfe seconded. The motion carried unanimously.

a. Blighted property consideration

i. 539 W King St

At the recommendation of staff, **Mr. Davis moved to certify and declare the property at 539 West King Street as blighted. Mr. Velez seconded. The motion carried unanimously.**

ii. 541 W King St

At the recommendation of staff, **Mr. Davis moved to table for 30 days the consideration of 541 West King Street. The property owner is to provide updates to staff in the interim. Ms. Burgos seconded. The motion carried unanimously.**

iii. 572 Company St

At the recommendation of staff, **Mr. Wolfe moved to certify and declare the property at 572 Company Street. Mr. Davis seconded. The motion carried unanimously.**

b. Subdivision and land development plans

i. 41-45 E King St

The applicant, Mr. Chad Eisenhart, and his design professional, Mr. Joe Musso, said that the properties were three buildings on two lots. Mr. Eisenhart intends to convert the properties to eight apartments. The Zoning Hearing Board has approved this proposal. The plan combines the lots to conform with the zoning ordinance and SALDO and with requirements from lending institutions.

Mr. Davis moved to recommend approval of a request to waive the requirement for separate preliminary and final plans, as listed in section 1333.03, for the plan for 41-45 East King Street. Mr. Velez seconded. The motion carried unanimously.

Mr. Davis moved to recommend approval of a request to waive the requirement to show contours on the plan, as listed in section 1333.04.a.5, for the plan at 41-45 East King Street. Mr. Velez seconded. The motion carried unanimously.

Mr. Davis moved to recommend approval of a request to waive the requirement to show the distance and directions of the nearest benchmark and datum, as listed in section 1333.04.a.5, for the plan at 41-45 East King Street. Ms. Burgos seconded. The motion carried unanimously.

Mr. Davis moved to recommend approval of a combined preliminary/final subdivision plan for 41-45 East King Street. Mr. Wolfe seconded. The motion carried unanimously.

c. Zoning appeals

i. 17-2021-Z-V/SE | 296 W Jackson St

Ms. Devon Myers of CGA, attorney for the applicant, summarized the application to allow a two-unit multi-family use at the property. The previous property owner rented it as two units and was unaware that zoning approval was not granted. The applicant is seeking zoning approval to legally lease the property. One unit would be on the first floor of the building. The second unit would comprise the second and third floors.

Mr. Davis moved to recommend approval of a variance to the definition of multi-family conversion from a different use, as listed in section 1304.1-1.2.2, for the property at 296 West Jackson Street. Mr. Velez seconded. The motion carried unanimously.

Mr. Davis moved to recommend approval of a dimensional variance to allow two units at the property at 296 West Jackson Street. Ms. Burgos seconded. The motion carried unanimously.

Mr. Davis moved to recommend approval of a variance to the special exception provision that the building be vacant for two years prior to the change of use for the property at 296 West Jackson Street. Mr. Wolfe seconded. The motion carried unanimously.

Mr. Davis moved to recommend approval of a variance to reduce the minimum number of off-street parking spaces, as listed in section 1304.1-1.2.2, for the property at 296 West Jackson Street. Mr. Velez seconded. The motion carried unanimously.

Mr. Davis moved to recommend approval of a special exception to allow a multi-family conversion from a different use, as defined in section 1304.1-1.2.2, for the property at 296 West Jackson Street. Mr. Wolfe seconded. The motion carried unanimously.

ii. 18-2021-Z-V/SE

The applicant was not present for this case.

Mr. Davis moved to table Case 18-2021-Z-V/SE. Mr. Velez seconded. The motion carried unanimously.

iii. 19-2021-Z-V | 1141 E Market St

Ms. Stacey MacNeal of Barley Snyder, attorney for the applicant, presented the appeal. The applicant, Gaudenzia Foundation, has legally operated a group home on the property since 2015.

The building is unique to the area, with 16 bedrooms and 10 bathrooms. The Zoning Hearing Board previously approved a group home with 16 occupants. The applicant is not currently using the third floor of the property and feels that it can safely and legally expand its operation to 24 individuals; the additional group home individuals can occupy bedrooms large enough to accommodate double occupancy.

Mr. Davis moved to recommend approval of a variance to increase the occupancy of an existing group home, as defined in section 1304.1-1.4.1(b), at the property at 1141 East Market Street. Ms. Burgos seconded. The motion carried unanimously.

iv. 21-2021-Z-V/SE | 638 Pennsylvania Ave

Ms. MacNeal, attorney for the applicant, presented the appeal. Mr. Danny Cox, property owner, applicant, and Executive Director of Ladder to the Light lives at and has legally operated a group home with five occupants in the property for four years. Mr. Cox wishes to expand the occupancy to seven individuals, which requires a special exception. The zoning ordinance further requires a variance to allow three individuals in one bedroom and a variance to waive the requirement for off-street parking.

Mr. Wolfe moved to recommend approval of a variance to increase the number of people permitted in each room of a group home, as listed in section 1304.1-1.4.1(b), for the property at 638 Pennsylvania Avenue. Mr. Davis seconded. The motion carried unanimously.

Mr. Wolfe moved to recommend approval of a variance to waive the minimum number of off-street parking spaces, as listed in section 1304.1-1.4.1(c), for the property at 638 Pennsylvania Avenue. Mr. Davis seconded. The motion carried unanimously.

Mr. Wolfe moved to recommend approval of a special exception to allow a group home, as defined in section 1304.1-1.4.1, in the property at 638 Pennsylvania Avenue. Mr. Davis seconded. The motion carried unanimously.

v. 22-2021-Z-V/SE | 650 Pennsylvania Ave

Ms. MacNeal, attorney for the applicant, presented the appeal. The facts of the case are similar to that of 21-2021-Z-V/SE. Mr. Cox also operates a group home at this property. Mr. Cox's sons live in a separate unit on the first floor of this building and assist him with property management and on-site supervision. The appeal is for an increase in the number of individuals in the group home on the second and third floors of the property. The zoning ordinance requires a special exception for this use and a variance to waive the requirement for off-street parking.

Mr. Davis moved to recommend approval of a variance to waive the minimum number of off-street parking spaces, as listed in section 1304.1-1.4.1(c), for the property at 650 Pennsylvania Avenue. Mr. Wolfe seconded. The motion carried unanimously.

Mr. Davis moved to recommend approval of a special exception to allow a group home with no more than six occupants, as defined in section 1304.1-1.4.1, in the property at 650 Pennsylvania Avenue. Mr. Wolfe seconded. The motion carried unanimously.

vi. 23-2021-Z-V/SE | 918 W Princess St

Mr. Edward Taveras, the applicant, and Mr. Ken Olivo, translator for the applicant, presented the appeal. Mr. Taveras recently purchased the property. The previous owner did not have the means to fix the home, which includes the following:

- A total of five parking spaces
- Two bedrooms, a bathroom, a kitchen, and a living room on the first floor
- A living room, bedroom, bathroom, and kitchen on the second floor
- Two bedrooms on the third floor

Mr. Taveras intends to lease the property as two units, one unit comprised of the first floor, and the other unit comprised of the second and third floors.

Ms. Griffin said that the immediately previous owner licensed and listed the property as a single-family home for rent, but was unsuccessful in finding tenants. Before the immediate previous owner, the City licensed and inspected the property as a duplex; Mr. Taveas wishes to return the property to this use.

Mr. Davis moved to recommend approval of a variance to the definition of a multi-family conversion from a different use, as listed in section 1304.1-1.2.2, for the property at 918 West Princess Street. Ms. Burgos seconded. The motion carried unanimously.

Mr. Davis moved to recommend approval of a variance to the special exception provision that the building be vacant for two years prior to the change of use for the property at 918 West Princess Street. Mr. Wolfe seconded. The motion carried unanimously.

Mr. Davis moved to recommend approval of a dimensional variance to allow two units at the property at 918 West Princess Street. Mr. Velez seconded. The motion carried unanimously.

Mr. Davis moved to recommend approval of a special exception to allow a multi-family conversion from a different use, as defined in section 1304.1-1.2.2, for the property at 918 West Princess Street. Mr. Wolfe seconded. The motion carried unanimously.

d. Open forum

Mr. Pritchard said that staff wishes to develop a consistent process and policy changes to address short-term vacation rentals in the city and requested the Planning Commission create a committee.

Mr. Johnson appointed Mr. Davis, Mr. Velez, and Mr. Wolfe to a committee to develop recommendations for ordinance amendments and other changes to City procedures to address short-term rental properties.

7. Adjournment

The Commission having no other business, Mr. Johnson adjourned the meeting at 8:08 PM.