



York City Planning Commission Meeting Minutes

Monday, September 13, 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

Present: Staff

Mike Pritchard, Planner

Nancy Griffin, Zoning Officer

Excused absences: Planning Commission

Kittrell Barnes, Corey Wolfe

3. Minutes of the August meeting

ACTION: Ms. Burgos moved to approve the minutes. 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 August meeting.

b. Comprehensive Plan Update

Mr. Pritchard said that staff held an informational session in Council Chambers on September 2.

Staff will be sending invitations to working group meetings in the coming weeks.

c. Short-term Rental Committee

Mr. Pritchard summarized the outcomes of the committee's meeting in August.

1. The committee did not recommend pursuing a new zoning use for short-term rentals; the Zoning Officer should continue to use the existing zoning uses to regulate rental properties regardless of the length of a lease. At the meeting, the City Solicitor noted that the concerns the City receives about short-term rental properties are not zoning issues. Any illegal activities are illegal under other regulations; accordingly, the police or other enforcement agencies should be contacted when these complaints arise.
2. The committee recommended that Permits and Inspections require annual inspections of any property that the owner of which would like to rent on a short-term basis.
3. The committee recommended that staff call a meeting of short-term rental property owners annually to collect information about usage, to work on any issues, etc.
4. The committee recommended that staff revisit the neighborhood improvement ordinance and work towards rectifying any issues with its legality that were previously identified.

5. Unfinished business

a. 18-2021-Z-V/SE | 717 Linden Ave

The Commission had tabled this item until the September meeting. Ms. Griffin told the Commission the applicant has requested to table this case until the October meeting due to a medical issue preventing the applicant from attending. **Mr. Velez moved to table this appeal until the October Planning Commission meeting. Mr. Davis seconded. The motion carried unanimously.**

6. New business

a. Subdivision and land development plans

i. **Glen Gery Plant LD**

Snyder Secary has submitted a land development plan on behalf of Dermody Properties for properties at 1090 East Boundary Avenue in Spring Garden Township at 745 Dallas Street in York City. Mr. Pritchard said that he and the City Engineer have reviewed the plan and that, because no significant work is proposed for the city, they recommend the city defer review of the plan to Spring Garden Township. **Mr. Velez moved to recommend deferral of the land development plan to Spring Garden Township. Ms. Burgos seconded. The motion carried unanimously.**

b. Zoning appeals

i. **Case 24-2021-Z-V/SE | 710 W Mason Ave**

Ms. Griffin summarized the appeal. The applicant, Ms. Shannon Carroll, proposes to convert the property to a rooming house. Ms. Carroll informed the Commission of the following:

- She previously lived in the home with her family. During the COVID-19 pandemic, she understood that individuals needed affordable shelter and chose to rent the bedrooms. She was unaware that this required Zoning approval
- She has installed a security system on the property
- She rents the room for between \$75 and \$100 per week
- Tenants cannot typically afford a vehicle
- She provides a room with a bed, sheets, and furniture (tenants do not bring furniture)

Mr. Johnson asked whether Ms. Carroll had tried to list and lease the property as a single-family home. She confirmed that she did not.

Mr. Davis moved to recommend approval of a variance to section 1304.2-7.17.b.a to allow a rental unit smaller than 250 square feet at 710 West Mason Avenue with the condition that the variance expires upon sale of the property. Mr. Velez seconded.

Mr. Davis, Mr. Velez, and Ms. Burgos voted in the affirmative. Mr. Johnson voted in the negative. **The motion carried.**

Mr. Davis moved to recommend approval of a variance to section 1304.2-7.17.b.c to waive the requirement that the property owner must occupy the property for a boarding house use at 710 West Mason Avenue with the condition that the variance expires upon sale of the property. Mr. Velez seconded. Mr. Davis, Mr. Velez, and Ms. Burgos voted in the affirmative. Mr. Johnson voted in the negative. **The motion carried.**

Mr. Davis moved to recommend approval of a variance to section 1304.2-7.17.b.c to waive the parking requirement for 710 West Mason Avenue with the condition that the variance expires upon sale of the property. Mr. Velez seconded. Mr. Davis, Mr. Velez, and Ms. Burgos voted in the affirmative. Mr. Johnson voted in the negative. **The motion carried.**

Mr. Davis moved to recommend approval of a special exception to allow a rooming house, as defined in section 1304.2-7.17, at 710 West Mason Avenue with the condition that the approval expires upon sale of the property. Mr. Velez seconded. Mr. Davis, Mr. Velez, and Ms. Burgos voted in the affirmative. Mr. Johnson voted in the negative. **The motion carried.**

ii. Case 25-2021-Z-V/SE | 643 W King St

Ms. Griffin summarized the appeal. The facts of the case are generally the same as in case 24.

Mr. Davis moved to recommend approval of a variance to section 1304.2-7.17.b.a to allow a rental unit smaller than 250 square feet at 643 West King Street with the condition that the variance expires upon sale of the property. Mr. Velez seconded. Mr. Davis, Mr. Velez, and Ms. Burgos voted in the affirmative. Mr. Johnson voted in the negative. **The motion carried.**

Mr. Davis moved to recommend approval of a variance to section 1304.2-7.17.b.c to waive the requirement that the property owner must occupy the property for a boarding house use at 643 West King Street with the condition that the variance expires upon sale of the property. Mr. Velez seconded. Mr. Davis, Mr. Velez, and Ms. Burgos voted in the affirmative. Mr. Johnson voted in the negative. **The motion carried.**

Mr. Davis moved to recommend approval of a variance to section 1304.2-7.17.b.c to waive the parking requirement for 643 West King Street with the condition that the variance expires upon sale of the property. Mr. Velez seconded. Mr. Davis, Mr. Velez, and Ms. Burgos voted in the affirmative. Mr. Johnson voted in the negative. **The motion carried.**

Mr. Davis moved to recommend approval of a special exception to allow a rooming house, as defined in section 1304.2-7.17, at 643 West King Street with the condition that the approval expires upon sale of the property. Mr. Velez seconded. Mr. Davis, Mr. Velez, and Ms. Burgos voted in the affirmative. Mr. Johnson voted in the negative. **The motion carried.**

iii. Case 26-2021-Z-V | 491 Madison Ave

Ms. Griffin summarized the case. Mr. William Price, the applicant, has operated this property as a rooming house and is looking to legitimize through proper approvals. This property is in the RS-2 zoning district. Ms. Griffin also noted that she received an objection to the proposal from a nearby property owner.

Mr. Price informed the Commission of the following:

- County organizations, including Bell Socialization Services, MHIDD, police departments, and York County Adult Probation, refer tenants to Mr. Price for affordable shelter
- Tenants agree to lease under the hotel/motel law, which includes tenant expectations and removes the full process of eviction court
- Tenants typically cannot afford vehicles
- Rooms cost about \$130 per week

Mr. Price's business partner Mr. Ray Baublitz said that before they purchased this property, approximately 16 people were living in it in two apartments. This proposal would reduce the number of people living in the building.

Ms. Burgos moved to recommend approval of a variance to section 1304.2-7.17.b.a to allow a rental unit smaller than 250 square feet at 491 Madison Avenue with the condition that the variance expires upon sale of the property. Mr. Velez seconded. The motion carried unanimously.

Ms. Burgos moved to recommend approval of a variance to section 1304.2-7.17.b.c to waive the requirement that the property owner must occupy the property for a boarding house use at 491 Madison Avenue with the condition that the variance expires upon sale of the property. Mr. Velez seconded. The motion carried unanimously.

Mr. Davis moved to recommend approval of a variance to allow a rooming house, as defined in section 1304.2-7.17, at 491 Madison Avenue with the condition that the approval expires upon sale of the property. Mr. Velez seconded. The motion carried unanimously.

iv. Case 27-2021-Z-V/SE | 727 Manor St

Ms. Griffin summarized the case. The facts of this case are nearly identical to case 26, except that this property is in the MUI-2 zoning district.

Mr. Davis moved to recommend approval of a variance to section 1304.2-7.17.b.a to allow a rental unit smaller than 250 square feet at 727 Manor Street with the condition that the variance expires upon sale of the property. Ms. Burgos seconded. The motion carried unanimously.

Mr. Davis moved to recommend approval of a variance to section 1304.2-7.17.b.c to waive the requirement that the property owner must occupy the property for a boarding house use at 727 Manor Street with the condition that the variance expires upon sale of the property. Ms. Burgos seconded. The motion carried unanimously.

Mr. Davis moved to recommend approval of a special exception to allow a rooming house, as defined in section 1304.2-7.17, at 727 Manor Street with the condition that the approval expires upon sale of the property. Mr. Velez seconded. The motion carried unanimously.

v. Case 28-2021-Z-V/SE | 145 W Jackson St

Ms. Griffin summarized the case. The facts of this case are nearly identical to case 26, except that this property is in the MUI-2 zoning district.

Mr. Davis moved to recommend approval of a variance to section 1304.2-7.17.b.a to allow a rental unit smaller than 250 square feet at 145 West Jackson Street with the condition that the variance expires upon sale of the property. Mr. Velez seconded. The motion carried unanimously.

Mr. Davis moved to recommend approval of a variance to section 1304.2-7.17.b.c to waive the requirement that the property owner must occupy the property for a boarding house use at 145 West Jackson Street with the condition that the variance expires upon sale of the property. Mr. Velez seconded. The motion carried unanimously.

Mr. Davis moved to recommend approval of a special exception to allow a rooming house, as defined in section 1304.2-7.17, at 145 West Jackson Street with the condition that the approval expires upon sale of the property. Mr. Velez seconded. The motion carried unanimously.

vi. Case 29-2021-Z-V/SE | 146 W Jackson St

Ms. Griffin summarized the case. The facts of this case are nearly identical to case 26, except that this property is in the MUI-2 zoning district.

Mr. Davis moved to recommend approval of a variance to section 1304.2-7.17.b.a to allow a rental unit smaller than 250 square feet at 146 West Jackson Street with the condition that the variance expires upon sale of the property. Ms. Burgos seconded. The motion carried unanimously.

Mr. Davis moved to recommend approval of a variance to section 1304.2-7.17.b.c to waive the requirement that the property owner must occupy the property for a boarding house use at 146 West Jackson Street with the condition that the variance expires upon sale of the property. Ms. Burgos seconded. The motion carried unanimously.

Mr. Davis moved to recommend approval of a special exception to allow a rooming house, as defined in section 1304.2-7.17, at 146 West Jackson Street with the condition that the approval expires upon sale of the property. Mr. Velez seconded. The motion carried unanimously.

a. Open forum

7. Adjournment

The Commission having no other business, Mr. Johnson adjourned the meeting at 8:43 PM.