

## MINUTES

### **HARRISBURG PLANNING COMMISSION REGULAR/VIRTUAL MEETING October 7, 2020 ZOOM PROGRAM PLATFORM**

**MEMBERS PRESENT:** Joseph Alsberry, Chair  
Vern McKissick, Vice Chair  
Jamesetta Reed  
Anne Marek  
Zac Monnier

**MEMBERS ABSENT:** Shaun E. O'Toole  
Ausha Green

**STAFF PRESENT:** Geoffrey Knight, Planning Director  
Tiffanie Baldock, Senior Deputy City Solicitor

**OTHERS PRESENT:**

**CALL TO ORDER:** 6:35 PM

**APPROVAL OF MINUTES:** Commissioner Reed noted that she had had issues connecting during the August meeting, and not the September meeting as reflected in the minutes. Commissioner Marek moved, and Commissioner McKissick seconded the motion, to approve the minutes from the August 2<sup>nd</sup> meeting with the noted correction; the motion was adopted by a unanimous (5-0) vote.

**OLD BUSINESS:**

N/A

**NEW BUSINESS:**

**1 Variance & Special Exception Applications for 712 Green Street, zoned Residential Medium-Density (RM), filed by The Qavah Group, to establish an "Office" use on-site to request relief from the off-street parking requirements associated with the use.**

Mr. Knight gave a synopsis of the report, recommending Approval with Conditions; the conditions were that:

1. The Applicants will submit a Certificate of Appropriateness (COA) application, and receive approval from HARB, for the proposed signage indicated in the application.
2. The Applicants will coordinate with the Department of Public Works to ensure that the account billing is updated to reflect the new development.

3. The Applicants will provide a map showing the location of the off-street parking space they have leased at a nearby lot in the neighborhood, as well as a signed lease to confirm that this space will be available to them.

The case was represented by Greg Beeman with The Qavah Group (the business owner and resident), 712 Green Street, Harrisburg, PA 17102; and Jon Bomberger with The Qavah Group (the business owner), 5866 Laurel Street, Harrisburg, PA 17112 (aka “the Applicants”).

Commissioner Alsberry asked the Applicants whether the conditions in the case report were acceptable; they confirmed that they were. Commissioner Alsberry asked whether the Applicants had anything to add to the case report; they stated that they did not.

Commissioner Alsberry asked whether any of the commissioners had comments or concerns about the project. Commissioner Marek inquired as to whether the space proposed for the “Office” use was currently occupied as a residential unit. Mr. Beeman stated that he and his wife owned the property, but noted that there were two kitchens in the building and stated that they primarily lived in the second-floor portion of the property. Commissioner Marek noted that it sounded as though the Applicants were proposing to establish a business in their own residence; the Applicants stated that it might be a temporary arrangement.

Commissioner Alsberry asked whether there was anyone from the public that was for or against the project; Ms. Baldock gave instruction to the public in attendance on how to request to be unmuted so they could provide comment. There were no comments.

Commissioner Monnier moved, and Commissioner McKissick seconded the motion, to Approve the request with Staff Conditions. The motion was adopted by a unanimous vote (5-0).

## **2 Variance & Special Exception Applications for 260 Boas Street, zoned Residential Medium-Density (RM), filed by Derek Dilks with Dilks Properties of Harrisburg, LLC, to establish a “Multifamily Dwelling” use on-site and to request relief from the density regulations for the RM district.**

Mr. Knight noted that the Applicant had submitted a Continuance request to be heard at the November Planning Commission and Zoning Hearing Board meetings. Commissioner Alsberry asked whether it was necessary to take a vote on the request; Mr. Knight suggested that the commissioners take a formal action on the Continuance request.

Commissioner Marek moved, and Commissioner Reed seconded the motion, to Continue the application until the November meeting. The motion was adopted by a unanimous vote (5-0).

## **3 Street Vacation Application for the 300 block of Reily Street, zoned Institutional (INS), filed by Doug Neidich with GreenWorks Development, to vacate rights-of-way (grocer’s alleys) in the block bounded by the Boyd Street urban meadow, North 4<sup>th</sup> Street, Reily Street, and Logan Street.**

Mr. Knight gave a synopsis of the report, recommending Approval with Conditions; the conditions were that:

1. If there is water or stormsewer infrastructure managed by Capital Region Water running along or through the right-of-way to be vacated, the Applicant will coordinate with the authority to address any outstanding issues related to access or maintenance.

The case was represented by Casey Deller with KCI Technologies, Inc. (the project engineer), 5501 Louise Drive, Mechanicsburg, PA 17055; and Doug Neidich with GreenWorks Development, 1426 North 3<sup>rd</sup> Street, Suite 125, Harrisburg, PA 17102 (aka “the Applicants”).

Commissioner Alsberry asked the Applicants whether the conditions in the case report were acceptable; they stated that they were acceptable. Commissioner Alsberry asked whether the Applicants had anything to add to the case report; they stated that they did not.

Commissioner Alsberry asked whether there was anyone from the public that was for or against the project; Ms. Baldock gave instruction to the public in attendance on how to request to be unmuted so they could provide comment. There were no comments.

Commissioner Alsberry asked whether any of the commissioners had comments or concerns about the project. Commissioner Reed noted that the City Engineer had included a comment that HACC would need to sign the petition to vacate the street and asked whether that impacted the current request. Mr. Knight stated that it shouldn’t affect the review at the current meeting and that the Applicants would need to ensure they got the appropriate signatures prior to City Council review.

Commissioner Marek moved, and Commissioner McKissick seconded the motion, to Approve the request with Staff Conditions. The motion was adopted by a unanimous vote (5-0).

**4 Street Vacation Application for the 300 block of Harris Street, zoned Institutional (INS), filed by Doug Neidich with GreenWorks Development, to vacate rights-of-way (grocer’s alleys and Howard Alley) in the block bounded by Harris Street, North 4<sup>th</sup> Street, the Boyd Street urban meadow, and Logan Street.**

Mr. Knight gave a synopsis of the report, recommending Approval with Conditions; the conditions were that:

1. If there is water or stormsewer infrastructure managed by Capital Region Water running along or through the right-of-way to be vacated, the Applicant will coordinate with the authority to address any outstanding issues related to access or maintenance.

The case was represented by Casey Deller with KCI Technologies, Inc. (the project engineer), 5501 Louise Drive, Mechanicsburg, PA 17055; and Doug Neidich with GreenWorks Development, 1426 North 3<sup>rd</sup> Street, Suite 125, Harrisburg, PA 17102 (aka “the Applicants”).

Commissioner Alsberry asked the Applicants whether the conditions in the case report were acceptable; they stated that they were acceptable. Commissioner Alsberry asked whether the Applicants had anything to add to the case report; they stated that they did not.

Commissioner Alsberry asked whether there was anyone from the public that was for or against the project; Ms. Baldock gave instruction to the public in attendance on how to request to be unmuted so they could provide comment. There were no comments.

Commissioner Alsberry asked whether any of the commissioners had comments or concerns about the project. Commissioner Monnier noted that the application materials were very thorough, referencing a report from a project surveyor outlining the various properties and rights-of-way, as well as an analysis of the history of these properties.

Commissioner McKissick moved, and Commissioner Marek seconded the motion, to Approve the request with Staff Conditions. The motion was adopted by a unanimous vote (5-0).

**5 Street Vacation Application for Kent Alley, filed by Tarik Castell with TLC Work Based Training Programs, Inc., to vacate rights-of-way (grocer's alleys and a portion of Kent Alley) in the block bounded by the 1820 North 5<sup>th</sup> Street, North 5<sup>th</sup> Street, Kelker Street, and Fulton Street.**

Mr. Knight gave a synopsis of the report, recommending Approval with Conditions; the conditions were that:

1. If there is water or stormsewer infrastructure managed by Capital Region Water running along or through the right-of-way to be vacated, the Applicant will coordinate with the authority to address any outstanding issues related to access or maintenance.

The case was represented by Daniel Wise with RJ Fisher Engineering (the project engineer), 1546 Bridge Street, New Cumberland, PA 17070; and Tarik Casteel with TLC Work Based Training Programs, Inc., 1821 Fulton Street, Harrisburg, PA 17102 (aka "the Applicants").

Commissioner Alsberry asked the Applicants whether the conditions in the case report were acceptable; they stated that they were acceptable. Commissioner Alsberry asked whether the Applicants had anything to add to the case report; they stated that they did not.

Commissioner Alsberry asked whether there was anyone from the public that was for or against the project; Ms. Baldock gave instruction to the public in attendance on how to request to be unmuted so they could provide comment. Abey Abraham (1736 North 5<sup>th</sup> Street, Harrisburg, PA) noted that he and other neighbors had attended previous meetings at which the project had been reviewed, and that they had spoken with the Applicants. He asked whether the owner of the properties at Fulton & Kelker Streets had been notified of the proposed vacation, noting that the property owner used the vacation lot at the intersection to park their vehicles although he wasn't sure whether those lots were owned by that individual. Mr. Abraham stated that he wanted to know whether the Applicant intended to use those properties to park the vehicles for the proposed project. The Applicants noted that the portion of Kent Alley being vacated was only the portion adjacent to the properties that comprised the project site at 434 & 440 Kelker Street. They noted that the properties referenced by Mr. Abraham were one property removed from the project site and that the right-of-way behind those properties would remain as an unopened right-of-way. Mr. Casteel also noted that he owned the property on which the owner of the adjacent homes parked their vehicles, and that he allowed that individual to keep vehicles there.

Ms. Baldock asked whether anyone else from the public wanted to provide comment. Mr. Abraham wanted to ask whether the Applicants were speaking with the owners of the referenced properties along Kelker Street, stating that he hoped they were maintaining communication; Mr. Casteel confirmed that he had spoken with that property owner recently.

Commissioner Alsberry asked whether any of the commissioners had comments or concerns about the project. None of the commissioners had any comments.

Commissioner Marek moved, and Commissioner Reed seconded the motion, to Approve the request with Staff Conditions. The motion was adopted by a unanimous vote (5-0).

**6 Lot Consolidation & Land Development Plan for 434 & 440 Kelker Street, zoned Commercial Neighborhood (CN), filed by Tarik Casteel with TLC Work Based Training Programs, Inc., to consolidate the two properties, along with the rights-of-way to be vacated submitted concurrently with the application, and develop the vacant property as an eight-unit “Multifamily Dwelling” with associated access and site improvements.**

Mr. Knight gave a synopsis of the report, recommending Approval with Conditions; the conditions were that:

1. The Applicant will receive approval from City Council for the proposed vacation of Kent Alley, submitted concurrently with the Lot Consolidation & Land Development Plan application.
2. Per discussions during a previous review of the proposal, the Applicant will ensure that eight spaces are reserved for the proposed units in the accessory parking lot of the adjacent property at 1820 North 5<sup>th</sup> Street and will ensure these are signed for use by the building’s tenants.
3. The Applicant will coordinate with the City Engineer’s Office on the construction/rehabilitation of any sidewalks adjacent to the property, particularly the construction of a sidewalk along Kelker Street, from the intersection to the existing sidewalks in front of 426 & 428 Kelker Street, to ensure they are in compliance with ADA requirements and City regulations. The Applicant should also coordinate with the City Engineer’s Office on the installation of any lighting to be installed in the public right-of-way.
4. The Applicant will extend the sidewalk connection to the adjacent parking lot to run along the southern edge of the lot thus providing pedestrian access to those spaces as well.
5. The Applicant will coordinate with the City Arborist on any proposed trees to be planted on-site or in the surrounding rights-of-way.
6. The Applicant will apprise the Department of Public Works of the development to ensure adequate refuse service to the property and to update the account information for the property.
7. The Applicant will coordinate with CRW regarding the installation of water and stormsewer management infrastructure on-site and any connections to the existing networks.
8. The Planning Bureau would recommend that the Applicant not utilize EIFS for the second and third floors, as indicated in the elevation plans, and instead utilize masonry veneer, cementitious fiberboard, or metal panels as proposed for elsewhere on the building.

The case was represented by Daniel Wise with RJ Fisher Engineering (the project engineer), 1546 Bridge Street, New Cumberland, PA 17070; and Tarik Casteel with TLC Work Based Training Programs, Inc., 1821 Fulton Street, Harrisburg, PA 17102 (aka “the Applicants”).

Commissioner Alsberry asked the Applicants whether the conditions in the case report were acceptable; they noted that the case report had referenced the consolidation of two properties, although the request actually involved the consolidation of three properties. Mr. Knight noted that the Planning Bureau uses the County's tax parcel map when reviewing applications which indicated that the properties at 432 & 434 Kelker Street were a single property; he acknowledged that the Applicants' submission had shown three lots and stated that the Planning Bureau would amend its case report to reflect that the project consisted of three properties. Ms. Baldock noted that the County often combined properties on its map which had been deed consolidated, but not lot consolidated.

The Applicants referenced the condition to extend the sidewalk being constructed on-site and asked whether it referred to the sidewalk to be installed along Kelker Street. Mr. Knight stated that the reference in the case report was to the sidewalk that connected the proposed building to the parking lot at 1820 North 5<sup>th</sup> Street; he noted that the current plan showed the sidewalk terminating into the ADA parking space in the corner of the lot, and that the condition was for the sidewalk to extend to the west along the southern boundary of that parking lot so that individuals parking in the lot could easily access the sidewalk. The Applicants stated that they would have to review the topography of the site to see whether it could be accommodated; they stated that they wouldn't object to it if it was feasible.

The Applicants noted that the proposed path from the parking lot to the rear of the building continued to the sidewalk along North 5<sup>th</sup> Street. They asked whether there were any other proposed sidewalks included in the conditions of the Planning Bureau's case report. Mr. Knight confirmed that was the case.

The Applicants stated that they weren't sure if they were willing to use a different façade cladding than the EIFS proposed for the upper floors which the Planning Bureau had recommended against in their case report. They stated that the building siding would be a combination of masonry, metal panels, and some EIFS (synthetic stucco) for portions of the upper floors. The Applicants noted that they had used EIFS on other existing buildings on nearby properties and that they wanted to use the same combination of siding for the proposed project. They stated that the EIFS provided better insulation value in conjunction with insulation between the studs of the exterior walls, and that they felt it looked good as well.

Commissioner Alsberry asked whether there was anyone from the public that was for or against the project; Ms. Baldock gave instruction to the public in attendance on how to request to be unmuted so they could provide comment. Abey Abraham (1736 North 5<sup>th</sup> Street, Harrisburg, PA) stated that he appreciated that the Applicants had included access points in the rear of the building as neighbors had requested at the previous review meetings. The Applicants confirmed that there would be stair towers in the recesses in the rear of the building envelope.

Commissioner Alsberry asked whether any of the commissioners had comments or concerns about the project. Commissioner Marek noted that the site plans showed that access path around the rear of the building did not connect to the sidewalk along North 5<sup>th</sup> Street, and asked for confirmation that it would connect to the sidewalk. The Applicants confirmed that it would connect and that it

was not shown on the plan sets in error. Commissioner Marek also stated that the sidewalk along the front on the property on Kelker Street should be extended to the edge of the western lot line of the to-be-consolidated parcel.

The Applicants asked whether the westernmost portion of the sidewalk extension could be deferred until such time as there would be a future sidewalk connecting from the west, noting that there was a vacant lot between the existing homes along Kelker Street and the proposed project site which did not have a sidewalk along its frontage meaning there would be a gap in the sidewalk regardless. They stated that a sidewalk across the front of the currently vacant lots might make eventual projects on that property more difficult, and thus the requirement for a property along that lot should be deferred to a future date. Commissioner Marek acknowledged this issue and inquired as to whether the Applicants had plans for future development of the remaining vacant parcels; the Applicants stated that they did not have plans for a project on those properties at the time. She stated that at some point in the near future there should be a continuous sidewalk along this block of Kelker Street.

Commissioner Monnier noted that he used an electric skateboard to travel around the city and was thus aware of the variable quality of its sidewalks. He noted that this issue was due to City regulations that made every property owner responsible for the sidewalk in front of their property. He noted that the Planning Commission could not compel the neighboring property owner to reconstruct their sidewalk, but that they could include the full construction of the sidewalk for the current property so that it created something to which adjacent neighbors could connect new or reconstructed sidewalks in the future. Commissioner Monnier said it was important to require the current project to have the sidewalks fully constructed so that future property owners had a good example to follow. He noted that he had supported the previous project and thus supported the current proposal as well.

Commissioner Monnier asked whether the Planning Bureau was suggesting that the Applicants use cementitious fiberboard or masonry siding instead of the EIFS; Mr. Knight stated that it was more of an aesthetic preference since EIFS did not age well in his experience, and he noted that if the EIFS was damaged, it was more difficult to repair. Mr. Knight stated that the Planning Bureau's intention was to ensure that the building envelope maintained a state of good appearance and good repair for as long as possible. He did note that the project site was not in an historic district and that the City did not have adopted design guidelines for the area, so there was no way to compel the Applicants to address this condition of the Planning Bureau's case report.

The Applicants stated that the first floor would be brick veneer and that he didn't think the EIFS on the upper floors would be likely to get damaged, but noted that he owned a contracting company and thus that he could easily repair the building in the future if necessary. Commissioner Monnier acknowledged that it could be replaced in the future, but that the Planning Commission wanted to ensure that the building aged well and looked as good in 20 years as it did when it was built; he did note that the condition was only a recommendation from the Planning Bureau.

Commissioner Alsberry whether the Planning Bureau had thoughts on Commissioner Marek's recommendation that the sidewalk along Kelker Street be fully constructed. Mr. Knight stated that the entire sidewalk should be fully constructed along the entire frontage of the property, but noted

that sidewalk projects were managed by the City Engineer's Office and that they may have separate requirements for how the work should proceed, although they may be willing to work with the Applicants on a phased construction of the sidewalk.

Commissioner Monnier moved, and Commissioner McKissick seconded the motion, to Approve the request with Staff Conditions. The motion was adopted by a unanimous vote (5-0).

## **OTHER BUSINESS:**

### **1 Comprehensive Plan Update**

Commissioner Alsberry asked the Planning Bureau for a status update on the Comprehensive Plan. Mr. Knight noted that there were two primary issues to cover: an update on submitted plan comments and on the upcoming presentation to City Council. He noted that he had only received two emails with comments, one of which came from an individual who also spoke at the one of the September webinars, but also noted that he was aware that several other individuals were planning on submitting consolidated comments as a group. He stated that he expected that the consolidated submission would reflect the voices of many individuals and not just one or two people. Mr. Knight stated that if any of the commissioners were aware of individuals or groups that wanted to provide comment, and he encouraged them to solicit those comments via the email address.

Mr. Knight stated that a presentation to City Council had been planned for one of the upcoming City Council sessions on October 13<sup>th</sup> or October 20<sup>th</sup>. Ms. Baldock stated that she would be sending the Comprehensive Plan legislation by the end of the week, so that it could be introduced at the October 13<sup>th</sup> Legislative Session. She noted that the Administration was working on getting hard copies printed for distribution to the County, School District, and contiguous municipalities. She stated that the presentation would kick off the 45-day public review period.

Commissioner Alsberry asked the Planning Bureau how comments submitted by the public would be integrated into the document. Ms. Baldock noted that any comments provided at this point in the process would be submitted directly to City Council and that it would be up to them to determine how to incorporate public comments into the plan. She reiterated that how and which public comments were incorporated would be solely up to City Council. Mr. Knight stated that he intended to organize and compile comments by chapter, with an additional category for overall comments on the document or themes.

Commissioner Alsberry noted that the process had taken a long time, but that he was happy to have the process finally moving forward.

Commissioner McKissick asked the Planning Bureau when they were anticipating giving the presentation to City Council. Mr. Knight confirmed that the presentation would be delivered either the upcoming Tuesday (October 13<sup>th</sup>) or the following Tuesday (October 20<sup>th</sup>). Ms. Baldock noted that she had been in communication with the City Clerk and City Council President on scheduling the presentation. Commissioner McKissick asked whether the meeting would occur via Zoom, and Ms. Baldock confirmed that it would. She stated that if the Planning Commissioners wished to attend the presentation, she would ensure that they were sent the appropriate log-in information.

Commissioner Reed inquired as to the process after the 45-day public review period. Ms. Baldock clarified that it would be a minimum of 45 days, and that the length of the public comment period was ultimately up to City Council. She stated that it would be up to City Council to determine how much of the public comments to incorporate, and that City Council would eventually have to vote to adopt the document by a majority of the full membership of the Council. Ms. Baldock stated that if the City Council voted to adopt a final version of the Comprehensive Plan, it would have to be provided to the County and State.

Commissioner Reed ask whether the Comprehensive Plan document would be adopted by the end of the year; Ms. Baldock stated that it would be possible, but that the process would likely overlap with the budget reviews in December, which might delay a vote until January 2021. She noted that it was ultimately up to City Council as to how they would like to move the process forward.

**ADJOURNMENT: 7:38 PM**

Commissioner McKissick moved, and Commissioner Marek seconded the motion, to adjourn. The motion was adopted by a unanimous vote (5-0). The meeting adjourned at 7:38 PM.