

## MINUTES

### **HARRISBURG PLANNING COMMISSION REGULAR MEETING October 6, 2021 ZOOM PLATFORM**

**MEMBERS PRESENT:** Joseph Alsberry, Chair  
Vern McKissick, Vice Chair  
Shaun E. O'Toole  
Jamesetta Reed  
Anne Marek (arrived at 6:40 PM)  
Ausha Green

**MEMBERS ABSENT:**

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

**OTHERS PRESENT:**

**CALL TO ORDER:** 6:37 PM

**APPROVAL OF MINUTES:** Commissioner O'Toole moved, and Commissioner Green seconded the motion, to approve the minutes from the August 4<sup>th</sup> meeting without corrections (note: the September 1<sup>st</sup> meeting was postponed); the motion was adopted by a unanimous (5-0) vote.

**OLD BUSINESS [Note: the old business involves cases originally intended to be heard at the September 1<sup>st</sup> HPC meeting, which was postponed due to Tropical Storm Ida]:**

**1 Variance & Special Exception Applications for 1603½ Derry Street, zoned Residential Medium-Density (RM), filed by Yulisa Nina Tamarez and Gorge Imejia Gomez, to establish a second unit on-site, which requires relief from the density regulations and the off-street parking requirements in the Zoning Code.**

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

1. The Applicant will utilize pervious pavers to establish a legal parking area in the rear of the property to accommodate the required off-street parking spaces; Applicant may not use gravel, asphalt, or concrete, as that may necessitate relief from the Development Standards.
2. The Applicant will coordinate with the Department of Public Works to confirm the appropriate size and location of refuse collection on-site, and update the billing accounts to reflect the new use.

3. The Applicant shall get approval of all necessary City permits, and receive a Certificate of Occupancy, prior to leasing the second unit.

The case was represented by Yulisa Nina Tamarez and Jorge Imejia Gomez (the property owners), 1603½ Derry Street, Harrisburg, PA 17104 (aka “the Applicants”).

Commissioner Alsberry asked the Applicants whether the conditions in the case report were acceptable; they stated that they were.

Commissioner Alsberry stated that he had no questions or comments and asked whether any of the commissioners had comments or concerns about the project.

Commissioner Green requested clarification on how many units the Applicants were proposing; the Applicants stated that they probably had “always been two family” and that when they purchased the property, the first-floor unit had been vacant. They stated that there were two electric meters on the property.

Commissioner Alsberry asked whether there was anyone from the public that was for or against the project; there were no comments.

Commissioner Green moved, and Commissioner Marek seconded the motion, to Approve the request with Staff Conditions. The motion was adopted by a unanimous vote (6-0).

**2 Variance Application for 121 Pine Street, zoned Commercial Neighborhood (CN), filed by Chris Bowser with Bowser Properties LLC, to convert the first-floor office unit into a residential unit, which requires relief from the density regulations in the Zoning Code.**

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

1. The Applicant will advise the Planning Bureau should any exterior alteration of the property be proposed, as the site lies within the Olde Harrisburg Municipal Historic District.
2. The Applicant shall acquire all necessary permits from the City of Harrisburg prior to beginning work on the interior renovation of the property.

The case was represented by Chris Bowser with Bowser Properties, LLC (the property owner), 62 South Terrace Road, Wormleysburg, PA 17043 (aka “the Applicant”).

Commissioner Alsberry asked the Applicant whether the conditions in the case report were acceptable; he confirmed that they were.

Commissioner Alsberry asked whether any of the commissioners had comments or concerns about the project. Commissioner McKissick asked the Applicant to confirm that the property was had previously only accommodated residential use, and that the project would be returning the property to its former use; the Applicant confirmed that was the case. He noted that there was already a full bath on the first floor (in the former commercial space) and noted on the floor plan where they were intending on re-establishing a kitchen area. The Applicant stated that the intention of the

project was to enact a conversion of office space to residential units, similar to other projects along Pine Street in which former commercial space was being converted to residential units; he noted that there was a decreasing demand for downtown office space, with a corresponding increase in demand for residential units.

Commissioner Marek asked whether the second and third floors would remain as a single unit; the Applicant confirmed that would be the case. She asked whether there was off-street parking associated with the property; he noted that there was no parking and confirmed that an adjacent parking lot was reserved for use by a nearby property for their own tenants.

Commissioner Alsberry asked whether there was anyone from the public that was for or against the project; there were no comments.

Commissioner McKissick moved, and Commissioner O'Toole seconded the motion, to Approve the request with Staff Conditions. The motion was adopted by a unanimous vote (6-0).

**3 Lot Consolidation, Subdivision & Land Development Plan Application for the Atlas Building, zoned Commercial Neighborhood (CN), filed by Mighty Group Holdings, LLC, to consolidate thirteen parcels into five separate parcels for the purpose of redeveloping the existing building and vacant properties to establish office and commercial space and provide site and access improvements.**

Mr. Knight gave a synopsis of the report, recommending a Continuance.

The case was represented by Richard Gribble with By Design Consultants, Inc. (the project architect), 1950 Market Street, Camp Hill, PA 17011; Julie Hess with Barry Isett & Associates, Inc. (the project engineer), 126 Walnut Street, Harrisburg, PA 17101; Paul Small, 135 Walter Drive, Gilbertsville, PA 19525) and Adam Maust with Might Group Holdings, LLC (the property owner/developer), 1591 Stoney Mountain Way, PA 17018 (aka "the Applicants").

Commissioner Alsberry asked Planning Bureau staff whether there were any conditions associated with the case report; Mr. Knight confirmed that there were no conditions because there was no recommendation, as they had not finalized their review due to a lack of information.

Commissioner Alsberry asked the Applicants if they wanted to make a presentation, and they confirmed that they did. They stated that they did not want the commissioners to vote for a continuance, noting that the application had already been delayed a month due to the September meeting being postponed. The Applicants stated that if the case was continued without being heard, they would not know what comments the commissioners might make and thus what changes they should make to their design prior to the next meeting, and thus if they received substantive comments, their project might not get a final decision until January 2022; they stated that they felt that was unreasonable.

They asked for a conditional approval from the Planning Commission at the current meeting. They acknowledged that they had only provided the traffic impact study to the City that day, but stated that the project would create no significant impact to traffic circulation and would require no

changes to the streetlight at the adjacent intersection of North 6<sup>th</sup> and Maclay Streets. They acknowledged that the City did need time to review the information in the study, but felt that a conditional approval would allow them to accomplish that after the meeting. The Applicants also stated that they would work with City staff regarding the lighting and landscaping concerns. They noted that they were working with Capital Region Water (CRW) to incorporate pervious paving on-site to manage the volume and rate of runoff on-site; they stated that they were no longer requesting the waivers included in the original application. Finally, the Applicants stated that they had obviated the potential zoning issues regarding the diagonal parking along Oak Street by reconfiguring it as parallel parking, to avoid cars having to back out into the public street. They solicited additional comments from the commissioners that could be addressed in a revised design presented to the Planning Commission at the following months' meeting.

Commissioner Alsberry noted his general concern regarding traffic; he noted that his company's office had been located in the building about twenty years ago, and that the approximately twenty spaces located in the lot beside the building were insufficient to accommodate the parking needs at that time. He noted that the Planning Commission had recently approved a residential development project nearby; Mr. Knight confirmed that there was a proposal for four new homes a block away at the intersection of Woodbine and Jefferson Streets. Commissioner Alsberry stated that this development, in conjunction with development in the surrounding neighborhood and larger projects to the south, would result in a significant increase in traffic along Maclay Street.

Commissioner Alsberry asked whether any of the commissioners had comments or concerns about the project. Commissioner McKissick asked whether there would be any residential units; the Applicants stated that there would not, and confirmed that the second floor was being reserved for office use and the first floor would be reserved for retail space whose tenants had not been confirmed. They noted that the basement might also include some retail space as well, but that it would not include parking as noted in the Planning Bureau's case report. Mr. Knight clarified that that had been a typo. Commissioner McKissick noted that the CN designation meant that there was no parking required, and thus any parking was being provided by the Applicant based on the perceived need of the intended uses on-site. Mr. Knight noted that the property did have an accessory parking lot on-site to accommodate previous uses, and that the project proposed to develop much of the vacant land in the east for off-street parking.

Mr. Knight stated that it was difficult to know the impact of the project on parking and vehicular circulation given the many questions that remained regarding proposed uses on-site. Mr. Knight noted that a neighborhood-focused use, such as a community center, would likely have more walking or biking trips, versus a destination use such as a grocery store, which would induce more vehicular trips. He stated that one of the reasons the Planning Bureau was requesting a continuance was because they wanted to better understand the totality of the project and the end state of the property, which would inform their considerations of the impacts on the community. Mr. Knight noted that the City Engineer expressed concerns about portions of the project, such as having two one-way streets intersect in the middle of the site; he noted that their regulatory considerations were a bit different from those that the Planning Bureau dealt with, and stated that time was needed to fully understand and digest the impacts on the surrounding infrastructure.

Commissioner McKissick asked the Applicants who prepared the traffic study; they stated that it was prepared by the firm Barry Isett. They stated that there was access to the proposed parking on-site from 6<sup>th</sup> Street, Maclay Street, and Jefferson Street, and stated that they were working within the constraints of the site to provide as much vehicular access to the site as possible. The Applicants confirmed that they were proposing that Elizabeth Street be one-way into the site to prevent back-ups turning onto Maclay Street. They stated that they felt the traffic study did not change the Level of Service rating for the adjacent infrastructure at North 6<sup>th</sup> and Maclay Streets, meaning that a change to the traffic signals was not required, and that the multiple access points into and out of the block would help distribute traffic.

Commissioner Alsberry asked whether the project was proposing to remove the access point into the block from Maclay Street; the Applicants confirmed that the street would remain, but would be converted to one-way traffic flow to reduce congestion. Commissioner McKissick noted that the Applicants would be the equitable owner of all properties on both sides of Elizabeth Street, and inquired as to whether they had considered vacating the street and creating their own internal circulation, noting that it would give them more control over access to and through the site. The Applicants confirmed that they had considered vacating the right-of-way, but that it was recommended that the street not be vacated due to other property owners within the block and that they had garages which required access to the rear of their properties. Commissioner McKissick noted that Maclay Street was a State route, but that 6<sup>th</sup> Street was not.

Commissioner McKissick noted that the Planning Commission should not be assessing the provision of parking, as the proposed "Office" space was a by-right use and no off-street parking was required in the CN zoning district. Mr. Knight confirmed that was the case, but noted that it had generally been the position of the Planning Commission and Zoning Hearing Board that they did not want to waive too much of the parking required for specific uses, even if none was specifically required by the Zoning Code. Commissioner McKissick noted that the Applicants might not be providing as much parking as might otherwise be required in a different zoning district. Mr. Knight confirmed that was the case, and noted that it was one of the reasons the Planning Bureau wanted to have more time to consider the full impacts of the project. He noted that while there may have been parking to accommodate previous uses on-site, given the long-term vacancy of the property, any new uses would essentially increase the parking generation from a baseline of zero current demand.

Mr. Knight noted that the prominence of the site and its proximity to the Maclay Street Bridge was relevant in the consideration of traffic impacts; he noted that the bridge was being expanded by a lane, and that the stretch of Maclay Street between North 6<sup>th</sup> and North 7<sup>th</sup> Streets may also be widened by a lane as part of that project. He noted that the City Engineer would have more knowledge of those proposals and thus that he felt it was important to give him time to fully review the plans.

Commissioner McKissick noted that the provision of additional parking might be included as a compensatory condition for approvals being requested and inquired as to the scope of the current proposal. Mr. Knight confirmed that the project involved the consolidation of various lots within the project block that would be separated by remaining rights-of-way. Commissioner McKissick noted that the application also included waivers from the stormwater regulations, but that the

Applicant was no longer requesting those; the Applicants confirmed that was the case. He stated that the stormwater management was the biggest issue facing the Applicants.

Commissioner McKissick noted that the Planning Commission had previously heard and approved projects on the condition that the City Engineer review and approved the traffic impact study. He stated that he felt comfortable moving forward from that perspective. He noted that he wanted to hear more about the discussions with CRW regarding the approach to stormwater management; the Applicants reiterated that they were coordinating with CRW on those aspects and were considering pervious pavement for various parking areas to meet the volume and rate management requirements. They noted that this approach would reduce runoff into the street, and that there was no such on-site stormwater management currently. Commissioner McKissick noted that pervious pavement required regular vacuuming and stated that the long-term maintenance should be a consideration. Commissioner McKissick stated that the Planning Commission had also previously approved projects on the condition that projects receive CRW approval, noting that the project could not otherwise move forward. Ms. Baldock noted that the stormwater management regulations were a standalone ordinance, so the Applicants would need to comply with those regulations regardless of City approval, and that the City would not grant waivers without CRW approval.

Commissioner O'Toole noted that the building had been vacant for an extended period of time, but that he felt the Planning Bureau's request for a continuance was reasonable.

Commissioner Green stated that she appreciated the opportunity to discuss the project at the current meeting. She asked whether the traffic study had been submitted that day because the City had not made the request until after the September meeting. The Applicants noted that there were some delays in communication between the project team and the City Engineer, who had provided additional documentation required for the traffic study to proceed. They noted that they had a pre-planning meeting in the spring, but that the City Engineer had not been able to attend the meeting and that they had not received his comments until more recently. Ms. Baldock noted that the current application had been submitted on August 4<sup>th</sup> or 5<sup>th</sup>.

Commissioner Green stated that she understood the need for urgency on behalf of the Applicants to receive Planning Commission approval, but she was hesitant to provide conditional approval for the project, noting that if the application was presented at the September meeting, the commissioners would not have had the traffic study to even evaluate the impact of the project. She stated that delaying the process was not necessarily a reason to grant the conditional approval and agreed that the request for a continuance was reasonable. The Applicants stated they understood her position, but that the traffic study showed there would be a minimal impact from the project. Commissioner Green stated that she wanted to work with the Applicants to get the project reviewed but that they were coming from a biased position of wanting to get approval as fast as possible. She stated that she wanted to review the traffic study herself and understand the City Engineer's review of the project. The Applicants agreed that the City Engineer should approve the study before the project went forward, but stated that if that approval was granted in the next few days, they would still then have to wait until the November meeting to get formal approval from the Planning Commission. Ms. Baldock noted that if the Planning Commission gave conditional

approval, and the City Engineer rejected the traffic study or required the plans to be revised, the Applicants would have to return to the Planning Commission to get approval at their next meeting.

Commissioner Marek stated that she was excited to see the development plans for such a highly visible project with the ability to transform the intersection and the neighborhood, although she was having difficulty understanding the impact on the surrounding infrastructure without the traffic impact study. She stated that the Applicant's request made the Planning Commission's review authority seem perfunctory. Commissioner Marek stated that she wanted to see what changes resulted from the Applicants' discussions with City staff. She stated that she understood the Applicants' urgency with respect to the project timeline, but felt they could have provided the documentation requested by the City in a timelier manner.

Commissioner Marek asked the Applicants to describe how they engaged the surrounding community in advance of the meeting. They stated that they appreciated that the commissioners wanted to have a complete understanding of all aspects of the project and noted that they were excited to develop a long-vacant eyesore in the community. The Applicants stated that they had discussions with a local co-op group from the neighborhood looking to bring up to forty minority-owned businesses into the proposed retail space, and that they were excited about the prospect of the building hosting local businesses and generating more foot traffic than vehicular traffic. They stated that they had also hosted a walk-through with the Hudson family who were excited about the potential of a building that once featured their name. The Applicants stated that they wanted the surrounding community to support the businesses on-site through foot traffic, but that the project needed to also provide parking for visitors from outside the city and daily commuters passing by the property.

The Applicants noted that the project had been delayed significantly due to COVID, and that they were concerned further delays would push the project into January or February 2022, and stated that they wanted to ensure the project could remain viable by maintaining their proposed timeline through a conditional approval from the Planning Commission. They stated that they were open to suggestions from the commissioners on how best to move forward to ensure the review and approval of the project in a timely manner.

Commissioner Green noted that the Applicants could still work with the City Engineer and CRW while awaiting formal approval from the Planning Commission, and that a continuance would not preclude them from doing so. The Applicants stated that they were committed to coordinating with the City prior to the next meeting, and clarified that they wanted to get preliminary input from the commissioners prior to the next meeting to ensure any plan revisions addressed their comments or concerns.

Commissioner Green stated that she didn't have additional questions or comments regarding the project beyond the traffic study and stormwater management proposal, which she couldn't address because she did not have that information to ask the questions she wanted to.

Commissioner Marek stated that she appreciated the Applicants' intentions and the desire to redevelop the property with community-focused uses. She noted that much of the site was proposed for off-street parking and stated that she did want to see the traffic study to ascertain

what uses were being used in the development of the parking demands for the project. She also inquired as to how pedestrian access would be improved, noting that the project was located at a major intersection and thus was a major concern. She noted that the existing intersection was not pedestrian friendly. The Applicants noted that as an urban environment, there were limitations on the types of treatments that could be made. They noted that they would be adding striping between parking lots within the site to improve pedestrian safety, and that they would be creating landscaping buffers and sidewalk improvements along Maclay Street.

Commissioner Marek asked how the Applicants were intending on addressing freight loading and unloading, noting that the first floor might eventually accommodate a grocery store or restaurant; the Applicants confirmed that they would be locating the loading zone and dock on the eastern side of the building along Elizabeth Street. Commissioner Marek asked if that proposal would block traffic along one of the primary vehicular access points into the site; the Applicants stated that Applicants who might otherwise turn into the site from Maclay Street would have to access the property from North 6<sup>th</sup> Street.

Commissioner McKissick noted that the project appeared to be an instance where Preliminary Plan and Final Plan submissions were more appropriate than a Combined Preliminary/Final Land Development Plan. He stated that if a Preliminary Land Development Plan had been presented at the June meeting, then issues discussed at the current meeting could have been included in a subsequent Final Land Development Plan application. He referenced Commissioner Marek's concerns about the Planning Commission serving a perfunctory purpose, and noted that if the Applicants had provided an approval letter from CRW and the traffic study was acceptable to the City Engineer, then the proposed project was almost a by-right proposal which would not require Planning Commission approval. He noted that the current project was more straightforward than other projects in which there was some discussion about project impacts and proposals that addressed those.

Mr. Knight stated that he agreed with the commissioners and noted that the current review was, in fact, a split Preliminary and Final Land Development Plan review in all but name. He noted that even if the commissioners voted to conditionally approve the project at the current meeting, there was no guarantee that the substantive issues still remaining would be satisfactorily addressed in time for the proposal to be reviewed by City Council. Mr. Knight noted that it would benefit the Applicants to have all outstanding issues addressed, along with Planning Commission approval, before moving on to City Council review. He noted that the Planning Commission was more knowledgeable about land development and neighborhood impacts than City Council, which focused on more expansive aspects such as public safety and budgeting, as that was the substance of their deliberation at monthly meetings, and stated that City Council relied on the commissioners' informed questions and comments in their own deliberations.

Commissioner Alsberry stated that he agreed with the other commissioners and felt that having all the documentation to review would be helpful; he stated that he was supportive of the project given the long-term vacancy of the site and the potential impact on the community. He noted that if the Applicants provided the required documentation, he felt that it would be supported. Commissioner Alsberry noted that he was generally concerned with parking and traffic considerations when reviewing projects and noted that while the Applicants had stated there would be no major changes



to traffic patterns, he felt that there would be significant changes the intersection of North 6<sup>th</sup> and Maclay Streets, particularly once much of the development in the corridor to the south was completed in a few years' time. Commissioner Alsberry reiterated that he felt the Planning Commission would eventually grant approval, but agreed that they needed the supporting documentation to review in advance of the meeting.

The Applicants asked whether and how his project was expected to address traffic circulation issues if their contribution to that was a small part of other development that was happening in the area, particularly in the corridor between their property and the Federal Courthouse. They acknowledged that there may be bigger impacts in a few years from the totality of development in the area, but asked whether their project was expected to address that in the current review. They stated that they wanted to make sure they used their time well developing responses to the issues noted in the current discussion prior to the next meeting. Commissioner Alsberry again noted that he had worked in the building at one point and reiterated that he was a huge building with a lot of square footage, meaning that it would generate a lot of trips once it was completed occupied.

Commissioner Green reiterated that the traffic study and the stormwater management review were the primary documents that commissioners needed to fully understand the impact of the project; she noted that while they wouldn't be responsible for existing traffic or future traffic from other developments, the project would introduce significant traffic flow issues around and through the site. Commissioner Green summarized that she wanted to see how their property would impact the overall public space around the site.

Commissioner McKissick stated that he believed the project engineers' traffic projections would be based on previous studies and would include variables, criteria, and projections based on a number of engineering standards. He stated that the City Engineer's review of the traffic impact study would give their position more validity. Commissioner McKissick acknowledged that the Applicants' project would have a smaller impact on traffic circulation than other projects, but noted that the studies were necessary for the City to consider the impact of all developments on the transportation infrastructure.

Commissioner McKissick asked the Planning Bureau staff what the zoning of the property permitted, and whether an apartment complex was permitted on-site if a new owner purchased the property after the current plan was approved and decided to go in a different direction. Mr. Knight confirmed that a "Multifamily Dwelling" use would be permitted by right, but noted that it would be subject to the density regulations in the Zoning Code; he also noted that projects could be made denser than permitted by right if a developer committed to affordable housing units as outlined by the recently-passed City Council legislation. Mr. Knight clarified that the density of any future residential use would thus be subject to the affordability of the units included in such a proposal.

Mr. Knight commended the Applicants on their coordination with the City and the community, noting that the Planning Bureau had engaged the Applicants in multiple meetings, and that they had engaged the public both through the Zoom platform and via in-person surveys and discussions. He noted that the project site was a high-visibility and high-priority site whose redevelopment would make substantial improvements to the corridor and the neighborhood, and thus coordination with the neighborhood was critical.

Commissioner McKissick noted that at the current square footage, the building could likely accommodate 45-50 studio and one-bedroom units. He asked the Applicants how much off-street parking they were planning on developing; they confirmed that they were planning to have 70 spaces within the block.

Commissioner Marek asked if the building could be expanded in the future; the Applicants confirmed that it could, noting that it was originally designed to be about fifteen stories, but noted that it would likely entail a significant amount of cost. The Applicants noted that the Harrisburg Housing Authority (HHA) owned several properties within the block, and that they were designing the site to be able to accommodate affordable housing units in the future, but that it would likely be developed elsewhere on the block and not above the existing building. Commissioner Marek stated that she had a similar thought to Commissioner McKissick, and noted that a change in the project to include a significant amount of new housing would have to resubmit a Land Development Plan application for Planning Commission review.

Commissioner Alsberry asked Planning Bureau staff whether a motion was required; Mr. Knight stated that it was up to the commissioners. Commissioner Green made a motion to continue the case, but a member of the public interjected and asked whether they would be able to speak. Commissioner Alsberry asked whether there was anyone from the public that was for or against the project. Ms. Joyce Vanderhost-Gamble (2908 Parkside Lane, Harrisburg, PA) stated that she was the president of Camp Curtin Neighborhood United (CCNU), confirmed that that CCNU had engaged with the Applicants, and noted that they had submitted a Letter of Intent to the property owner (Mr. Maust) in which they would take over the building after an unspecified number of years. She confirmed that they had helped canvass the neighborhood in conjunction with the property and were working to identify potential vendors for the proposed retail space; she stated that CCNU was planning on a town hall meeting sometime in the coming month. Ms. Vanderhorst-Gamble stated that the Letter of Intent had been provided to the property owner in July 2021, but that they had not yet received a response.

Ms. Laura Harding (2246 North 3<sup>rd</sup> Street, Harrisburg, PA) stated that she had been a resident of the neighborhood for twenty years and was thus familiar with the property. She referenced the Applicants' response to the economic development portion of the Land Development Plan application, and noted that they had not provided any information in that section. She asked how it was possible that that information could not have been known by the Applicants, and asked why they had applied without that information. Ms. Harding stated that she was a subject matter expert in construction and architecture/engineering contracts, and that she would not have approved any project plan without that information. She stated that it was irresponsible and negligent, and stated that the Applicant had no business submitting the application without that information.

Mr. Matthew Long (311 South River Street, Harrisburg, PA) stated that he was a contractor on-site for the project and was also a developer in the city. He stated that the Applicants had made great efforts to engage minority contractors and set up a cooperative for that purpose. Mr. Long stated that over 94% of the employees on the project site were local and minority workers, and that the property owner had insisted that all subcontractors give preference to minority participation at

each step of the process. He stated that the project budget was fluid and noted that the information was not required for the submission.

Ms. Harding stated that she had been engaging with the community and that she was a member of CCNU. She stated that she had discussed the project with some of the workers who indicated that their paychecks had bounced.

Commissioner Green moved, and Commissioner Reed seconded the motion, to Table the application until the November meeting. The motion was adopted by a unanimous vote (6-0).

#### **NEW BUSINESS:**

#### **4 Variance & Special Exception Applications for 320 Reily Street, zoned Institutional (INS), filed by Doug Neidich with Green Works Development, to establish a mixed-use project with 155 residential units; 3,000 square feet of commercial space; and accessory parking in the basement, which requires zoning relief for the proposed “Multifamily Dwelling” use and from various aspects of the Development Standards and the off-street parking regulations in the Zoning Code.**

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

1. If granted approval for the requested zoning relief, the Applicant will file a Land Development Plan application for the proposed mixed-use development; this application will be accompanied by a Traffic Impact Study that analyzes the effect of the proposed development on the surrounding transportation infrastructure.
2. The Applicant will develop the lot to the north (at 1530 North 4<sup>th</sup> Street) as a legal, accessory parking lot conforming to the applicable requirements for such land use (such as screening, street trees, legal parking spaces, and drive aisles) including the paving of the lot, striping of spaces, construction of ADA-compliant sidewalks in the rights-of-way around the periphery of the site, and curb cuts to allow ingress and egress to the site. The Applicant may also need to secure a Variance for use of the property as an “Accessory Parking Lot.” The Applicant will submit the required applications for this site prior to submitting Building Permits for the current development proposal.
3. The Applicant will ensure that any future business(es) proposed for the first-floor commercial space will be permitted in the INS district per Section 7-305.7 of the Zoning Code (the Planning Bureau notes that “Retail Store” uses are only permitted via Special Exception); if not, the Applicant will ensure the necessary zoning relief applications are filed and approval received from the Zoning Hearing Board.
4. The Applicant will coordinate with the Department of Public Works to confirm the appropriate size and location of refuse collection on-site.
5. The Applicant will coordinate with the City Arborist on the selection and location of trees in the surrounding rights-of-way; although the Applicant cannot provide the required trees on-site, Section 7-307.12(a) of the Zoning Code allows required trees to be installed in surrounding rights-of-way.
6. The Applicant will coordinate with the Planning Bureau on the number and location of bike racks around the site; as with the recently-approved project to the east at 430 Reily Street, the

Planning Bureau would recommend that the Applicant consider both a secure, indoor bike storage area for residents and employees of any businesses on-site, as well as publicly-accessed bike racks around the perimeter of the site.

Mr. Knight noted that the Applicants had recently amended the proposal to require less relief from the off-street parking requirements, based on the collocation of parking spaces serving complementary uses (residential units and commercial space) in which the same space(s) could accommodate the demand from each of the uses at different times.

The case was represented by David Tshudy with Troutman Pepper (the legal counsel), 100 Market Street, Suite 200, Harrisburg, PA 17101; Doug Neidich with GreenWorks Development (the property owner), 1426 North 3<sup>rd</sup> Street, Harrisburg, PA 17102; Dominic Wiker with Washington Place Equities (a development partner), 701 Cathedral Street, Baltimore, MD 21201; and Casey Deller with KCI Technologies, Inc. (the project engineer), 5001 Louise Drive, Suite 200, Mechanicsburg, PA 17055 (aka “the Applicants”).

Commissioner Alsberry asked the Applicant whether the conditions in the case report were acceptable; they stated that all were acceptable except for Condition #2 and stated that they had an alternative proposal to address that aspect of the Planning Bureau’s case report. They stated that they were proposing to amend the application to have the reduction in off-street parking for “a total reduction of parking to 158 spaces,” in conformance with Section 7-327.8 of the Zoning Code. They noted that there were 3,000 square feet and 155 units, which would result in approximately 200 spaces being required; they noted that they were asking the required parking to be reduced to 158 spaces, with 86 being provided on the project site, and another 72 spaces being provided in the existing accessory surface parking lot to the west.

Commissioner Alsberry asked the Planning Bureau staff for their thoughts on the revised proposal. Mr. Knight noted that this proposal was a significant deviation from the information that had initially been presented to the Planning Bureau and what had been discussed with the Applicants in prior communications. He noted that parking was always a consideration in larger development projects, and that it was ultimately up to the Planning Commission and Zoning Hearing Board regarding whether the proposed revision was acceptable. Mr. Knight noted that the block to the north was partially developed as a surface parking lot, with the remainder being covered in gravel, and stated that he thought development of that block for surface parking would be an improvement on the existing conditions, and beneficial to the neighborhood. He stated that he felt that getting the required zoning relief would be relatively straightforward given the conditions of the site.

The Applicants asked Planning Bureau staff whether all of the 117 spaces in the proposed lot to the north, if developed as noted in the Planning Bureau’s case report, would be dedicated to the needs of the current proposal, or whether it would be a lot available to the public. Mr. Knight stated that all of the spaces wouldn’t need to be dedicated to the current project’s tenants, but that development of surface parking there would be able to absorb the demand created by the current project so that parking demand wouldn’t overflow into the surrounding neighborhood.

Doug Neidich, the property owner and developer, stated that he owned both the lot of the north of the current site as well as the one to the west. He stated that he felt the proposed parking on-site,

in addition to the existing spaces in the lot to the west, provided adequate parking to meet the needs of the project's future tenants. He stated that he hesitated to improve the lot to the north when there was an existing, underutilized parking lot to the west that could accommodate the demand from two complementary uses (the residential units and the commercial space). He asked Planning Bureau staff to consider rescinding Condition #2 from the case report.

The Applicants also noted that the criteria under Section 7-327.8(a) of the Zoning Code were met by the project, specifically with respect to available on-street parking in the surrounding streets and the proximity of a CAT bus stop with approximately 32 stops per day. They also stated that they would be willing to consider supporting a car-share system in the garage on-site, as well as subsidizing CAT bus passes for future residents of the building. They stated that between those two measures and the parking already discussed, the project should be able to meet the requirements of the Zoning Code.

Commissioner Alsberry asked whether that proposal would meet the various parking requirements in the Zoning Code. Mr. Knight noted that an Applicant had never proposed including either a car-share system or dedicated transit passes as part of a project, so he was unsure of the impact of those proposals, but that the Planning Bureau would be supportive of considering those mitigation efforts for the project. He noted that he wasn't sure if there was a viable car-share operator that could be established fairly quickly or whether residents could loan their personal vehicles for communal use (note: this model is used by a company called Turo).

Commissioner Alsberry asked whether the numbers referenced by the Applicant were accurate. Mr. Knight stated that he believed their calculations were correct based on the spaces at the existing lot to the west, the spaces in the basement of the proposed development, the complementary nature of the uses, and the additional proposed measures of CAT bus passes and car-share vehicles.

The Applicants stated that their firm had been operating in the neighborhood since approximately 2005 when there was a substantial amount of disinvestment in the Reily Street corridor. They noted that they had developed or redeveloped the Campus Square building and the Evangelical Press Building as part of the HACC Midtown campus. They noted that the surface parking lots in the area were designed to accommodate the needs of the proposed HACC campus, noting that it was a commuter school which induced a significant number of vehicular trips. The Applicants noted that they had developed 750 temporary parking spaces and that the City had been insistent that the lots be developed if HACC's need for the parking dissipated. They also noted that there was a proposed garage at 430 Reily Street which could absorb demand from new projects in the future once it was completed.

The Applicants noted that HACC was at the end of their 15-year lease and that they had indicated they would be withdrawing from the Midtown campus. They noted that the main building which accommodated the HACC facilities was intended to be redeveloped as a K-8 charter school, which would have a significantly reduced demand for off-street parking as only the teachers and staff would require parking, and not any of the students. They stated that the next step in the evolution of the corridor was developing the temporary parking for residential and commercial uses. The Applicants noted that GreenWorks Development was not a residential developer and thus they had partnered with Washington Place Equities.

Commissioner Alsberry noted that he had served on the Planning Commission for a while and was aware of the various projects and proposals, noted by the Applicants, for the Midtown area and the Reily Street corridor specifically.

Commissioner Alsberry asked whether any of the commissioners had comments or concerns about the project. Commissioner McKissick agreed that the current project had been envisioned in the planning for the Midtown area during the period referenced by the Applicants, and noted that the Boyd Street urban meadow had been designed to connect the various sites together. He referenced the 750 spaces under the Applicants' ownership and asked which of the parking areas were assigned to HACC for their exclusive use. The Applicants confirmed that the lot south of the HACC building at 1523 North 4<sup>th</sup> and the lot to the north were dedicated for HACC parking and noted that they had swapped properties with HACC to transfer the existing surface parking lot at 1601 North 3<sup>rd</sup> Street to HACC for their use as well.

Commissioner McKissick stated that he was trying to ascertain how much parking the remaining HACC building, and the proposed charter school at the Evangelical Press Building would require. The Applicants reiterated that the former building would be a K-8 charter school and that only faculty and staff would need parking as opposed to the current use in which students also required off-street parking. They noted that the conversion to the charter school was the catalyst for the current development proposal, because the reduced parking demand allowed them to develop the surface parking lots. Commissioner McKissick noted that it appeared the Applicants could meet the parking needs for the various developments they owned and managed. Commissioner McKissick noted that the diversity of uses and their complementary nature supported the use of shared parking areas. The Applicants stated that they had confirmed that the proposed parking arrangements would meet the needs of all their proposed tenants.

Commissioner O'Toole asked whether the Applicants' request to rescind Condition #2 was acceptable to the Planning Bureau staff. Mr. Knight stated that as long as the Applicants were able to meet the required off-street parking in the existing and proposed parking areas, in the available on-street spaces, and through the provision of CAT bus passes and potentially a car-share system, the Bureau would be willing to rescind Condition #2. Mr. Knight did note that the block to the north, owned by the Applicant, was in a bit of rough shape and that its complete development as a surface lot would be a benefit to the community.

Commissioner Green stated that she was looking forward to the project and felt it was a good mixed-use proposal for the corridor. She inquired as to the proposed cost of the apartment units. The Applicants noted that they were likely three years out from leasing spaces, even under good conditions, and that they were paying attention to the local rental market to understand what range of monthly leases would be competitive. Commissioner Green asked whether the Applicants were intending on applying for the City's tax abatement; they confirmed that they were. She asked whether they were aware of the affordable housing legislation recently passed by City Council; the Applicants confirmed they were aware of that ordinance, felt it was a good decision by the City, and that they would be happy to discuss the affordability of the project as they went through the subsequent Land Development Plan process.

Commissioner Marek also stated that she was looking forward to the project and felt it was a good project for the corridor, but wanted to get more information on the proposed amendment to the documentation regarding how the project would address off-street parking, noting that the changes differed somewhat from the information provided by the Applicants in their submission. She asked whether the businesses at the corner of 3<sup>rd</sup> Street and Reily Street parked in the accessory lot to the west of the project site, which was referenced by the Applicants. They confirmed that there was some parking from those businesses occurring in the lot, but that it was informal parking that they permitted due to current low demand for the spaces, and noted that there were no parking leases signed by those businesses. Commissioner Marek noted that if the Applicants would no longer need the parking in the block to the north of the project site, then its use would still be open-ended without a definitive development proposal; the Applicants confirmed that was the case. Commissioner Marek stated that it made sense to not develop the block to the north for parking if it was not necessary.

Commissioner Marek inquired as to the minor increase in impervious lot coverage, and asked the Applicants how they intended to address stormwater management on-site. The Applicants stated that they had been coordinating with the City and CRW on a consolidated stormwater improvement plan for the corridor over the past 18 months, with a focus on green infrastructure and stormwater detention areas in the public right-of-way. They stated that the proposed project would be a core component of that planning. Commissioner Marek emphasized that it was important such infrastructure considerations were being addressed at the beginning of the project planning, and stated that she appreciated the Applicants had been proactive in addressing that issue.

Commissioner Marek noted that the Applicant had taken pedestrian and multi-modal infrastructure into account when designing the site plan so that it would contribute positively to those aspects.

Commissioner Alsberry asked whether there was anyone from the public that was for or against the project. Ms. Laura Harding (2246 North 3<sup>rd</sup> Street, Harrisburg, PA) stated that she hadn't been able to review the documentation on the City's website because the links to the application documents weren't working. She asked whether the Planning Bureau could email her documents or update the online links; Mr. Knight stated that they had been addressed earlier that afternoon.

Ms. Harding inquired as to why the request for relief from off-street parking had been amended, noting that she felt the commissioners should be asking questions regarding whether the proposal met the regulations in the Municipalities Planning Code (MPC). She stated that it was not under the purview of just the Zoning Hearing Board to make that decision, and stated that economic conditions were not considered a hardship under the MPC. She stated that the commissioners should be more diligent in reviewing such requests. She stated that she believed hubris was the reason they were not properly reviewing the application.

Commissioner Alsberry interrupted her and reminded her that she was being asked to comment on whether she was in favor or opposition to the current project. Ms. Baldock noted that the floor was currently open for public comment and not for a question and answer session. Ms. Harding stated that she felt the Planning Commission should be applying the MPC standards.

Commissioner Alsberry again asked whether she was for or against the project; Ms. Harding stated that she was against the Variance and Special Exceptions required by the project.

Commissioner Marek moved, and Commissioner O'Toole seconded the motion, to Approve the request with Staff & Additional Conditions; the additional conditions were that Condition #2 would be rescinded from the Planning Bureau's case report and that the Applicant would provide a total of 158 off-street parking spaces on the project site and in the adjacent lot to the west. The motion was adopted by a unanimous vote (6-0).

**5 Street Vacation Application for the Capital Heights Phase 1 project, in the block bounded by Hamilton Street, Logan Street, Logan Street, and North 3<sup>rd</sup> Street, zoned Residential Medium-Density (RM), filed by Erica Bryce with Midtown Redevelopment LP, on behalf of Harrisburg Redevelopment Authority (owner), to vacate various rights-of-way (grocer's alleys) in order to effectuate the consolidation and development on the block.**

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

1. The Applicant will receive approval for the Lot Consolidation, Subdivision & Land Development Plan application filed concurrently with this application.
2. If required by Capital Region Water or other utility providers, the Applicant will execute easement agreements with those providers to allow access to and maintenance of existing infrastructure running through or along the right-of-way, or will have such infrastructure formally abandoned.
3. The Applicant will design the vehicular access points from Clinton Street and Hamilton Street so that they are driveway curb cuts that maintain and flat and consistent sidewalks along those streets, and not street curb cuts that require ADA ramps on both sides.
4. The Planning Bureau would recommend that the Applicant either coordinate with the City Engineer's Office to preserve the existing granite curbs along Logan Street and Clinton Street on-site for use elsewhere in the city, or incorporate the existing granite curbs into the development in a way that highlights the unique asset.
5. The Applicant will ensure that new, ADA-compliant sidewalks are constructed along Clinton Street and Logan Street, where the project site fronts the public right-of-way.

Mr. Knight also noted that the current application and the following application were separate aspects of the same project and thus he would be reading the case reports and recommendations for both applications simultaneously.

The case was represented by Mac Kurowski and Jeff Shyk with K&W Engineers (the project engineers), 2201 North Front Street, Harrisburg, PA 17110; and Matthew Long and Chris Bryce with Midtown Redevelopment, LP (the project developers), 2901 North Front Street, Harrisburg, PA 17110 (aka "the Applicants").

Commissioner Alsberry asked the Applicant whether the conditions in the case report were acceptable; they stated that they were. They stated that they would have to coordinate with the City Engineer regarding the transfer and storage of the granite curbs, noting that they didn't believe



they could incorporate the curbs into the proposed project design, and stated that they would work with Planning Bureau staff regarding locating bikes along the North 3<sup>rd</sup> Street sidewalk.

Ms. Baldock asked the Applicants whether they were intending to remove the northernmost right-of-way vacation, running south from Hamilton Street, from their application; they confirmed that they were. Ms. Baldock noted that the Applicants had not been able to secure the necessary number of signatures from abutting property owners and described the location of the right-of-way in relation to the submitted plan drawings. The Applicants noted that they were able to get one of the other property owners' signatures, but that three of the properties were owned by a single entity that had not responded to multiple outreach attempts over several months. Commissioner Alsberry asked whether the Applicants had anything else to add; they responded that they did not.

Commissioner Alsberry asked whether any of the commissioners had comments or concerns about the project. Commissioner Green asked about the Applicants' approach to unit pricing, whether they would be participating in the LERTA program, and the overall affordability of the units. Commissioner Marek noted that those aspects of the project could be addressed in the subsequent review of the Lot Consolidation & Land Development Plan application and indicated that she would have additional questions during that review as well.

Commissioner Alsberry asked whether there was anyone from the public that was for or against the project. Ms. Joyce Vanderhorst-Gamble (2908 Parkside Lane, Harrisburg, PA) noted that she was against the project; she stated the Applicants had not engaged the whole community, and indicated that she was a neighbor in the community. Ms. Vanderhorst-Gamble stated that the public, specifically near North 4<sup>th</sup> and Maclay Streets, should know more about the project and that the Applicants should engage the community more. Ms. Baldock noted that the Applicants had submitted an outline of the public engagement that they had conducted as part of the project; Mr. Knight confirmed that it had been submitted late and was included as additional documentation provided to the commissioners at the meeting.

The Applicants stated that they had held five public engagement sessions including two in February, one in March, one in September, and one during October. Commissioner Alsberry noted that the commissioners strongly encouraged all applicants to engage with the community ahead of attending meetings; the Applicants indicated they intended on having additional public meetings. Commissioner McKissick inquired as to how many people attended those meetings; the Applicants noted that the February and March meetings were held virtually and that they didn't have specific numbers, but noted that they worked with Friends of Midtown, Midtown Action Council, and the Historic Harrisburg Association to increase public awareness and engagement. They stated that the meeting in September included about 40 attendees, with two individuals opposing the project for unspecified reasons. The Applicants stated that they reached out to all adjacent neighbors within the block.

Commissioner McKissick noted that there was a notification requirement in the Zoning Code for Variances and Special Exceptions; Mr. Knight confirmed that property owners within 100 feet of the project footprint, and noted that the Applicants had submitted that documentation during the previous zoning relief review in February. The Applicants stated that they had sent out notification letters beyond the required 100-foot buffer, noting that one of the applicants for a project being

reviewed at the current meeting had received a letter despite living approximately 200 feet from the site.

Ms. Laura Harding (2246 North 3<sup>rd</sup> Street, Harrisburg, PA) stated that the project had been approved by the Harrisburg Redevelopment Authority only a few weeks prior [note: this likely refers to an HRA vote on a property transfer agreement with the Applicant, as the Authority does not approve land development projects.] and stated that the MPC allowed residents within a one-mile radius to speak for or against a project, regardless of what the City's ordinance says. She confirmed that there were notifications in the newspaper regarding town halls, but that those announcements did not include the date or time of the meetings. Ms. Baldock clarified that there was no law regarding required notification within one mile, and confirmed that the City's Zoning Code required notifications within 100 feet of a project. The Applicants stated that the HRA resolution regarding the disposition of the subject properties had been passed in April 2020.

Mr. Edward Zook (1626 Green Street, Harrisburg, PA) stated that he and his wife had lived nearby for 48 years, including during the time that many of the buildings in the neighborhood formerly known as Lottsville had been demolished during previous urban renewal projects, and stated that they were in favor of the current proposal.

Commissioner Marek asked whether the commissioners were supposed to be providing all of their questions and comments for both aspects of the project during the review of the current application; Mr. Knight noted that it sounded like the commissioners wanted to address the applications separately, and stated that he had read the case reports at the same time because they were two related aspects of the same project.

Commissioner Marek moved, and Commissioner McKissick seconded the motion, to Approve the request with Staff Conditions. The motion was adopted by a unanimous vote (6-0).

**6 Lot Consolidation, Subdivision & Land Development Plan Application for the Capital Heights Phase I project, in the block bounded by Hamilton Street, Logan Street, Logan Street, and North 3<sup>rd</sup> Street, zoned Residential Medium-Density (RM), filed by Erica Bryce with Midtown Redevelopment LP, on behalf of Harrisburg Redevelopment Authority (owner), to consolidate and re-subdivide the properties on site to establish 8 townhouse units and 12 residential apartments and a community center in a mixed-use building, with associated site and access improvement.**

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

1. The Applicant will receive approval of the Street Vacation application for the rights-of-way which run across the proposed project site, which was submitted concurrent with this application.
2. The Applicant will submit a photometric plan for the mixed-use portion of the project, as the design of that building may result in light spillover onto adjacent residential properties.
3. The Applicant should relocate the proposed bike racks on-site to enable easier public access; the Bureau would recommend that the Applicant consider installing racks in front of the mixed-use building along the North 3<sup>rd</sup> Street sidewalk.

4. The Applicant will coordinate with the City Arborist on the type and location of vegetation to be planted on-site.
5. The Applicant will coordinate with the Department of Public Works to update the billing account and identify the appropriate refuse storage needs and location.

The case was represented by Marc Kurowski and Jeff Shyk with K&W Engineers (the project engineers), 2201 North Front Street, Harrisburg, PA 17110; and Matthew Long and Chris Bryce with Midtown Redevelopment, LP (the project developers), 2901 North Front Street, Harrisburg, PA 17110 (aka “the Applicants”).

While the commissioners reviewed the specifics of the Lot Consolidation & Land Development Plan aspect of the project, Commissioner Green inquired about the provision of affordable units and intention on submitting through the City’s LERTA program. The Applicants referenced City Council Bill No.16-2020 [note: this was City Council’s affordable housing legislation, which passed in July 2021], noting that it had recently been adopted and stated that they had spoken with the City’s newly-hired Director of Economic Development, who was also in charge of the LERTA program; they stated that they would be considering participation in that program. With respect to the affordability of the units, they stated that following the recently-passed regulations, they would be required to have three of the twelve apartment units be affordable, and that given the units would be approximately 1,100 square feet with two bedrooms and two bathrooms, they could not commit to affordable units. They stated that there weren’t many comparable units with that size, configuration, and off-street parking.

Commissioner Marek inquired about how the project would manage stormwater on-site. Commissioner McKissick noted that it appeared the project was intending on using subsurface storage and release; the Applicants confirmed that was the case, and noted that they were including pervious pavers.

Commissioner Marek asked whether the relocation of the community garden currently on-site had been resolved and whether the project addressed community comments about the mural [note: this is on the side of the adjacent building 1633 North 3<sup>rd</sup> Street]. The Applicants stated that those issues had been addressed during the previous review of the zoning relief requests; they noted that the first floor would feature a highly-visible, glass façade and a pathway through the site from 3<sup>rd</sup> Street to Logan Street, which they stated would increase the visibility of the mural. The Applicants did note, however, that the owners of the building on which the mural was painted were intending that to be a rotating art space, and they acknowledged that the Planning Bureau felt differently on the visibility of the mural.

The Applicants then noted that they had held meetings with Mike Lacey, the representative for Green Urban Initiative (GUI) which managed the community garden, who did not support the relocation of the garden, as well as other individuals who had plots in the garden in were more supportive of the development. They noted that the garden had not been as well-maintained as it used to be, and that they would be providing a dedicated space 16’ wide by 228’ long for the garden in the second phase of the overall development of the Capital Heights properties. They stated that this new garden area would be planned along a pathway through the interior of the block on which that development would occur. The Applicants did not that they would retain ownership

over the future site, as opposed to the current conditions where the land on which the garden was situated was owned by the Harrisburg Redevelopment Authority. They stated that this change is what was creating tension with some members of GUI.

Commissioner Marek stated that she appreciated that the Applicants had been in contact with the various entities that were involved with those two outstanding issues, and that they were trying to retain those aspects in some form.

Commissioner Alsberry asked whether there was anyone from the public that was for or against the project. Mr. Zook reiterated his support for the project previously stated during the review of the associated Street Vacation application.

Commissioner McKissick moved, and Commissioner Marek seconded the motion, to Approve the request with Staff Conditions. The motion was adopted by a unanimous vote (6-0).

## **OTHER BUSINESS:**

### **1 Comprehensive Plan Update**

Mr. Knight noted that City Council was moving forward with the process subsequent to the public engagement sessions during 2021, first with Zoom sessions early in the spring and then outdoor town halls in late spring. He noted that at the September 21<sup>st</sup> City Council meeting, Councilman Madsen had announced the public comment period would close on October 5<sup>th</sup>, and requested that other Councilmembers submit their comments and suggestions for amendments by October 12<sup>th</sup>.

Mr. Knight stated that he was unsure on what track the process would follow after that, but that it would depend on the nature of the comments and amendments; if they were minor amendments, the document could be voted on with the comments and amendments as appendices, but substantive amendments would require an additional public hearing by City Council which would have to be advertised. He stated that he had not received a list of the amendments from City Council, but that he knew some Councilmembers were intending on submitting them. Ms. Baldock confirmed the October 12<sup>th</sup> date and that Mr. Knight's interpretation of the process was correct.

Commissioner Marek asked whether additional comments had been received during the public comment window; Mr. Knight noted that the comments to the "complancomment" email address were sent directly to the City Clerk's Office, and that he was not sure how many had been received. He noted that there had been some submissions, but that he wasn't sure whether they were resubmissions of comments heard during the public engagement sessions or whether they were new issues, and stated that he would be reaching out to Councilman Madsen to confirm the general number and substance of the comments.

Ms. Baldock noted that they had compiled all the public comments received prior to the previous public hearing, which was public record, and that additional comments which had been received at the public hearing were also part of the public record and could be shared with the Planning Commission. She stated that there were not a lot of comments; Commissioner McKissick concurred, noting that he had attended the public hearing and thought that many of the comments were outside the scope of the document.

Commissioner Alsberry thanked Commissioner McKissick for attending the City Council public hearing and encouraging the Councilmembers to pass the document in a timely manner.

## **2 Subdivision & Land Development Ordinance regulations**

Mr. Knight noted that due to the recent loss of a staff member in the Planning Bureau, he was not able to develop the Planning Bureau's proposed edits and revisions to the existing SALDO regulations in time for the distribution of the packets for the current meeting. Mr. Knight stated that he planned to have the Planning Bureau's edits distributed to the Planning Commissioners in advance of the November 3<sup>rd</sup> meeting, and that he was hoping that document could form the nucleus around which commissioners could add their own suggested edits and revisions.

Mr. Knight stated that he didn't expect major changes to the regulations, but that there were definitely areas that could be updated to better reflect the current land development processes and technologies; as an example, he noted that the items in the SALDO Checklist were developed in 1990, during a time in which most site plans were hand-drawn. Mr. Knight stated that he hoped the SALDO revisions and edits made submission requirements easier and clearer for applicants to understand, and made reviewing documents easier for commissioners and City departments.

## **3 Introduction of interim Deputy Planning Director**

Mr. Knight introduced Jacob Bowen as the interim Deputy Planning Director, noting that he would eventually be taking over the duties of the position full time. He stated that Mr. Bowen had been with the City for approximately a year and a half, and had been working as the Planner I during that time. Mr. Knight stated that he would gradually be handing over the duties of the position, and that they would both be attending Planning Commission meetings in the future. He stated that he felt the current meeting was a good introduction to the process and the considerations of the commissioners given the diversity of cases being heard.

Mr. Bowen stated that he was looking forward to working with the Planning Commission and noted that he had often been involved in the front end of the projects they reviewed, working with applicants to explain the process and submit the requisite documentation.

## **ADJOURNMENT: 8:58 PM**

Commissioner Marek moved, and Commissioner Green seconded the motion, to adjourn. The motion was adopted by a unanimous vote (6-0). The meeting adjourned at 8:58 PM.