

## MINUTES

### **HARRISBURG PLANNING COMMISSION REGULAR MEETING Jun 1, 2022**

**MEMBERS PRESENT:** Joseph Alsberry, Chair  
Vern McKissick, Vice Chair  
Shaun E. O'Toole  
Jamesetta Reed  
Anne Marek  
Ausha Green

**STAFF PRESENT:** Jacob Bowen, Deputy Planning Director  
Neil Grover, City Solicitor

**CALL TO ORDER: 6:31 PM**

**APPROVAL OF MINUTES:** Commissioner McKissick moved, and commissioner O'Toole second the motion, to approve the minutes from the May 4, 2022 meeting without corrections; The motion was adopted by a (5-0) vote with one abstention.

#### **NEW BUSINESS:**

- 1. Variance and Special Exception Application for 1400 Market Street**, zoned Residential Medium-Density (RM), filed by Howard Drayton, to establish a "Restaurant" use on-site, and request relief from the off-street parking requirements.

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

1. The Applicant will remove asphalt millings from the side and rear yard setback areas to bring the property into compliance of the impervious surface regulation.
2. The Applicant will keep the outside of the restaurant free of debris by providing refuse containers near the front of the property during operating hours for patrons.
3. The Applicant will coordinate with the Public Works Department regarding appropriate location and access for refuse containers.
4. The Applicant will provide some type of permeable landscaping including a plant screening within the setback areas in order to address any possible runoff issues and to improve the general aesthetics of the property.
5. To reduce noise impacts, hours of operation will be limited to 11:00pm while the proposed use requires a generator for electrical service. Hours of operation may be extended upon utility connection to electrical services per the Health Officer's determination.
6. No other vehicles shall be stored on site other than the proposed food cart and trailer.

The case was represented by Howard Drayton (728 Fair Street, Harrisburg, PA 17104).

Commissioner Alsberry asked the Applicant whether the conditions in the case report were acceptable. They confirmed that they were. He asked whether they had anything to add to the Planning Bureaus case report. The Applicant stated that they hope to have the property make a positive contribution to the community and that they have a sentimental history with the property.

Commissioner Alsberry noted concerns with traffic and possible parking issues. The Applicant stated that he does not have parking concerns because other businesses are located near by that do not have parking issues.

Commissioner O'Toole noted that it appears the proposal will likely not be occupying street parking for the placement of the proposed food trailer. The Applicant confirmed the proposal will not require the use of the street for the food trailer.

Commissioner Reed asked about the proposed hours of operations and the type of food that will be served. The Applicant stated on the application that they intended to be open from 6am to 3am. The Applicant noted that his sister will come up with the future menu. Commissioner Green noted that a condition of approval is that business hours are to be limited to 11pm. The Commissioner asked the Applicant to confirm if they are acceptable of that condition. The Applicant stated that they are acceptable of the condition but hope to expand hours of operation when the use of a generator is no longer needed once having electric service from utility connections.

Mr. Bowen noted that any expanded hours of operation would need to be authorized by the City's Health Officer. The Applicant noted that the food trailer would not be mobile and would remain 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 O'Toole seconded the motion, to Approve the request with Staff Conditions. The motion was adopted by a unanimous vote (6-0)

**2. Special Exception Application for 2422 & 2430 Raleigh Street**, zoned Residential Medium-Density (RM), filed by Church of God and Saints of Christ, to establish a "Place of Worship" use on-site, and request relief from the off-street parking requirements

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

1. All unauthorized business activities operating onsite shall cease operations prior to the issuance of a Certificate of Occupancy (COA) for the proposed use.
2. The Applicant shall allow the Codes Bureau to perform a comprehensive inspection and receive approval for all necessary City permits prior to receiving a Certificate of Occupancy.

3. The Applicants will coordinate with the Department of Public Works to ensure that the account billing is updated to reflect the new use.

The case was represented by Judith Hurth (530 Woodbine Street, Harrisburg, PA 17110), Edith Duncan (2311 Green Street, Harrisburg, PA 17110), and Elder Stevie Marshall (2430 Raleigh Street, Harrisburg, PA 17111) with The Church of God and Saints of Christ. (aka the Applicant)

Commissioner Alsberry asked the Applicant whether the conditions in the case report were acceptable. They confirmed that they were. He asked whether they had anything to add to the Planning Bureaus case report. The Applicant stated that they feel there is a need in the community that the proposed use could address.

Commissioner Alsberry noted that he had concerns regarding parking and asked for further clarification regarding parking requirements at the property. Mr. Bowen noted the Zoning Code requires 14 off-street parking spaces which is based on the number of seats that are being proposed within the Place of Worship. Mr. Bowen stated that the Planning Bureau believes the request for relief from the off-street parking requirements is a reasonable request given the high availability of on-street parking located along Ellerslie Street which has limited adjacent development.

Commissioner Alsberry noted that the congregation will likely expand requiring additional parking. Mr. Bowen noted that the property does have five parking bays that could also be utilized for off-street parking to meet additional demand.

Commissioner McKissick asked if the Applicant intends to fit 12 off-street parking spaces onto the rear property. Mr. Bowen noted that the current proposal does not include constructing an off-street parking lot, but the Applicant may consider this option in the future to address potential parking concerns.

Commissioner McKissick inquired about the existing business that is noted within the Application. The Applicant noted that there currently is a tenant operating an informal business at the property. Mr. Bowen stated that the current business on-site is an unauthorized auto repair business which is not permitted by right in the RM Zoning District. Mr. Bowen stated that condition one will require the unauthorized business to cease operations prior to any final approvals.

Commissioner McKissick asked for clarification regarding the proposed floorplan. The Applicant stated that they plan to have one elevator to access different portions of the property. Commissioner Marek asked about the current use of the large parcel located along Ellerslie Street. Mr. Bowen stated that the property is a private residence. The Commissioner noted that there is future potential for development at the property, but currently it appears the street could accommodate additional parking demand. Commissioner Marek asked to confirm if the Applicant intends to have two kitchens on at the property. The Applicant stated that they plan to have one kitchen for the sanctuary area and another for the community center.

Commissioner Marek inquired about other activities that may occur at the property. The Applicant stated that the church will worship on Saturday and that the community center would operate for community members during the week.

Commissioner Alsberry asked for clarification of the property location. Mr. Bowen stated that the property is located on an ally behind Derry Street not far from the city boundary.

Commissioner Alsberry asked whether there was anyone from the public that was for or against the project. Annette Lucas (726 South 25<sup>th</sup> Street, Harrisburg, PA 17111) stated that residents currently park on Ellerslie Street and there are community concerns regarding additional foot traffic within the adjacent alley. Ms. Lucas also stated that the community already has access to services at the nearby Salvation Army and a church on 29<sup>th</sup> Street.

Commissioner Alsberry asked whether the Applicants had reached out to surrounding neighbors. The Applicant stated that they reached out to several neighbors and had received support and residents expressed a need for the proposed services. The Applicant stated that they are proposing a rear entrance that will provide direct access to the rear street eliminating the need for foot traffic to the adjacent alley.

Commissioner Alsberry noted that the demand for parking would likely exceed the required 14 parking spaces. The Applicant noted that very few people park along Ellerslie Street and that the street could accommodate a large number of cars.

Tonya Warner (2425 Ellerslie Street, Harrisburg, PA 17111) stated concerns regarding cars turning around on any a future parking lot to be constructed and noted that the farmhouse on Ellerslie Street is a historical building and property. Ms. Warner noted concerns of additional people parking in front of her mother's home on the street. She also stated that guests also utilize Ellerslie Street for parking. The Applicant noted that their current congregation uses approximately 6 cars.

Commissioner Marek stated the development of a parking lot would need to be reviewed. Mr. Bowen noted the Applicant would need to file a lot consolidation in order to create an accessory parking lot if they choose to do so in the future.

Commissioner Marek moved, and Commissioner Reed seconded the motion, to Approve the request with an additional condition that any accessory parking lot development would need to be reviewed and approved by the Planning Bureau. The motion was adopted by a unanimous vote (6-0).

**3. Variance & Special Exception Application for 2100 North 3<sup>rd</sup> Street**, zoned Residential Medium-Density (RM), filed by Jimmy Negron, to establish a four-unit "Multifamily Dwelling" use on-site and request relief from the off-street parking requirements, which requires Special Exceptions, and to request relief from the density regulations regulating the property, which requires a Variance.

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

1. The Applicant shall allow the Codes Bureau to perform a comprehensive inspection and receive approval for all necessary City permits prior to receiving a Certificate of Occupancy and leasing any units.
2. The Applicant will reconfigure the first-floor layout of Apartment four to exclude the use of the space for bedrooms thus limiting the number of bedrooms for the subject unit to ten bedrooms.
3. 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.

The case was represented by Jimmy and Dolores Negron (1607 Forster Street, Harrisburg, PA 17103) with Shining Star Contractor. (aka the Applicant)

Commissioner Alsberry asked the Applicant whether the conditions in the case report were acceptable. They confirmed that they were. He asked whether they had anything to add to the Planning Bureaus case report. The Applicant stated that they could possibly have up to 9 units but due to various challenges they decided to request four units. The Applicant noted that they will be able to make the first floor units larger to address condition two. The Applicant stated that they have a large multigenerational family that will occupy the main upstairs unit and that they intend to occasionally host international guest from the ministry they are part of.

Commissioner Alsberry stated that parking is very limited around the property. Mr. Bowen noted that given the large size of the property (9,063-square-feet) the request to have four units is a reasonable request that would have a lower impact on parking compared to a request for a higher number of small units. Mr. Bowen noted that an adaptive reuse of the property would be challenging without some type of parking relief. He noted that the two off-street parking spaces in the basement would mitigate some of the impacts on parking from the proposed project. The Applicant stated that parking is always available along the side of the house along 3<sup>rd</sup> and McClay Streets.

Commissioner McKissick inquired about previous permits that may have been issued for what appears to be some work that occurred at the property. Mr. Bowen noted that two permits had been pulled for the property. Mr. Bowen stated that the Applicant did various work to stabilize the property. Mr. Bowen stated that it appears the property has been vacant since 1973 and was in very poor condition in 2004 based on various code violations.

Commissioner O'Toole stated that the board does not typically like to see request for multifamily conversions, however given the uniqueness of the building and the low number of units being requested the application is reasonable. Commissioner Green stated appreciation the Applicant is proposing larger units and not trying to maximize profit through a large number of small units. The Commissioner noted that the surrounding street would likely be able to handle the additional parking demand.

Commissioner Marek noted the property would be difficult to repurpose and that she appreciates the proposal that includes a diversity of units that are multi bedroom.

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

**4. Lot Consolidation and Land Development Application for the Catherine Hershey School**, in the block generally bounded by Peffer Street, North 7<sup>th</sup> Street, Muench Street, and North 6<sup>th</sup> Street, zoned Commercial General (CG) and Commercial Neighborhood (CN), filed by Catherine Hershey School for Early Learning, Harrisburg to consolidate 23 parcels and construct a 32,880 square foot “Child Care Center” and associated site and access improvements.

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

1. The Applicant will receive approval of the Street Vacations necessary to effectuate the consolidation of the site and implementation of the proposed Land Development Plan.
2. Any proposed signage on-site will conform to the regulations in Chapter 7-325 of the Zoning Code; if not, the Applicant will file a zoning relief application and receive approval from the Zoning Hearing Board.
3. The Applicant will coordinate with the Department of Public Works to ensure the appropriate placement of and access to the refuse storage container(s) and that the account billing reflects the establishment of active uses on-site.
4. The curb cut and ingress/egress access point along North 6<sup>th</sup> Street at the to-be-vacated intersection with Delaware Street will not be installed, so as to eliminate a vehicular/pedestrian conflict point per the City’s Vision Zero program, ensure smoother traffic flow, and allow the establishment of additional on-street parking for use by the proposed project and other nearby uses.

The case was represented by Senate Alexander (1265 Ash Lane, Lebanon PA 17042), Brittany Tomaso (Hershey PA) with the Catherina Hershey School and Kathy Conly (320 Market Street, Suite 550 Harrisburg, PA 17101) with RGS Associates. (aka the Applicant)

Commissioner Alsberry asked the Applicant whether the conditions in the case report were acceptable. The Applicant confirmed they were acceptable to conditions one thru three. The Applicant stated safety concerns regarding the need for an ingress/egress access point along North 6<sup>th</sup> Street. The Applicant noted that cross traffic would likely become an issue if access along Muench Street were to become two way. They Applicant stated that the access point would enable future development to the adjacent property since the street vacation of Wallace Street would restrict access for future development.

The Applicant noted that the removal of the access point on 6<sup>th</sup> Street would require there to be two-way traffic at the Muench Street entrance which would create cross traffic. The Applicant

stated that traffic congestion may occur on Muench Street that could back up to 6<sup>th</sup> Street due to cars waiting to let other cars out. The Applicant also noted that a right out only on 6<sup>th</sup> Street could be considered.

Mr. Bowen noted that the required traffic impact study was submitted on May 16<sup>th</sup> and is currently under review by Dawood Engineering. He noted that the study is significant in length given the large scope of the project. Mr. Bowen stated that the Planning Commission should consider keeping condition four given the condition would remove a conflict point and align with the Comprehensive Plan in promoting safety along the 6<sup>th</sup> Street Corridor.

Mr. Grover suggested the Planning Commission maintain condition four pending a final review from Dawood Engineering. Mr. Grover noted that City Council will be able to consider condition four with recommendations provided from an Engineer review of the Traffic Impact Study. Mr. Bowen noted the Dawood Engineering is aware of the condition.

Commissioner Green noted that she is supportive of the project. Commissioner Marek noted that the project will be a positive addition to the city and she did receive notice from Friends of Midtown regarding an upcoming public engagement meeting. The Commissioner noted that she had some concerns regarding traffic circulation and because the Traffic Impact Study has not been reviewed, she was in favor of keeping condition four. The Commissioner asked if the rear parking area was going to be reserved for employee parking and if signage would be provided for this designation. The Applicant confirmed the rear parking area was for employees and signage would be provided. The Commissioner also inquired if a cross walk would be provided to the proposed bus shelter. The Applicant stated that they are currently working with CAT to provide a cross walk to the bus stop.

Commissioner Marek asked if CRW is currently reviewing the project. Mr. Bowen stated that the city has yet to receive a final review from CRW.

Commissioner Alsberry stated that it was a great project. The Commissioner asked whether there was anyone from the public that was for or against the project. Ralph Rodriguez (1201 South 19<sup>th</sup> Street, Harrisburg, PA 17104) stated that he struggled personally for childcare with his own child. He stated that the project would be a good use on the vacant property along 6<sup>th</sup> Street. Mr. Rodriguez stated that he fully backs the project and that it would provide beautification to the area.

Commissioner O'Toole asked if a provision should be provided regarding condition four. Mr. Grover noted that the project engineer and the engineer representing the city will be able to discuss concerns regarding condition four.

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).

The Applicant noted that the project will again be before the board to address zoning relief for an accessory parking lot that is not currently part of the land development request. The Applicant stated that the proposed project will go beyond a traditional childcare center and will provide

social services for families. The Applicant stated that the additional parking will be to ensure available parking for partners that will be operating on state. The Applicant noted they want to address residents concerns regarding parking. They stated the lot may be used for events such as a farmers market and for food trucks.

**ADJOURNMENT: 7:56 PM**

Commissioner McKissick moved, and Commissioner Marek seconded the motion, to adjourn. The motion was adopted by a unanimous vote (6-0).