

## **MINUTES**

### **HARRISBURG PLANNING COMMISSION REGULAR MEETING**

**August 2, 2023**

**THE MARTIN LUTHER KING, JR. CITY GOVERNMENT CENTER  
BASEMENT, Suite 1**

**MEMBERS PRESENT:** Joseph Alsberry, Chair  
Vern McKissick, Vice Chair  
Shaun E. O'Toole  
Jamesetta Reed  
DeRon Jordan

**MEMBERS ABSENT:** Anne Marek  
Joe Canamucio

**STAFF PRESENT:** Geoffrey Knight, Planning Director  
Emily Farren, Assistant City Solicitor

**CALL TO ORDER: 6:30 PM**

**APPROVAL OF MINUTES:** Commissioner O'Toole moved, and Commissioner McKissick seconded the motion, to approve the minutes from the July 5, 2023 meeting without corrections. The motion was adopted by a unanimous (5-0) vote.

**OLD BUSINESS: N/A**

#### **NEW BUSINESS:**

- 1. Variance Application for 222 Chestnut Street, zoned Downtown Center (DC), filed by Harrisburg University of Science & Technology, to install three wall signs on-site which is more than permitted by right and each wall sign is larger than permitted by right.**

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

The case was represented by Esch McCombie with McNees, Wallace & Nurick, LLC (the legal counsel), 100 Pine Street, Harrisburg, PA 17101 (aka "the Applicant"). Other individuals associated with the project spoke later during the public comment portion of the review.

Commissioner Alsberry asked whether the Applicant had anything to add to the Planning Bureau's case report. He stated that Mr. Knight had accurately summarized the issues, noted that other individuals associated with the project would be speaking later, and added that there was a minor change to the proposal; he provided the commissioners and City staff with supplemental documentation packets. The Applicant noted that the updated documentation included additional views of the proposed signage from Market Street, as well as a slight alteration to the initial proposal. The revision involved the relocation of Sign #3 from the southern façade of the

southwestern corner to the western façade of the southwestern corner, lower on the building face; the Applicant stated that the change was for aesthetic and practical purposes. Commissioner Alsberry asked the Applicant to clarify the proposed revision; he approached the commissioners and demonstrated on the supplemental documentation where the proposed change was occurring.

Commissioner Alsberry asked whether any of the commissioners had comments, questions, or concerns about the project.

Commissioner McKissick noted that the supplemental documentation was helpful in understanding the size of the proposed signage from street level, and inquired as to how the signs would be illuminated. The Applicant confirmed that the letters would be internally illuminated. Commissioner McKissick asked Planning Bureau staff to confirm the intensity of deviation from the Zoning Code for the proposed signage; Mr. Knight confirmed that the allowable area of wall signs in the DC district was 75 square feet and thus Sign #1 was approximately six times larger, Sign #2 was approximately three times larger, and Sign #3 was about twice as large.

Commissioner McKissick noted that there were precedential cases for proposed signage of a similar deviation from the Zoning Code, including for the Farm Show complex and Capitol View Commerce Center, and that approvals in those cases were based upon the expected speed of approaching traffic and the size of the proposed sign relative to the building frontage. He stated that he felt the proposed signage could be approved for similar reasons, and that he felt the signage represented a reasonable proposal.

Commissioner O'Toole noted that one of the Planning Bureau's rationales for recommending approval was that the signage was elevated towards the top of the building and one of them was setback from the property line; he inquired as to the Bureau's opinion of the revised signage which lowered the height and placed it on a façade on the property line. Mr. Knight stated that it was his first time seeing the revised design, but noted that the only difference was that one of the justifications for approval was that one of the signs was setback from the building façade, but noted that it had not precluded the Bureau's recommending approval of the other two signs. He stated that he did not feel the revision changed the Planning Bureau's recommendation.

Mr. O'Toole asked the Applicant if they were going to outline the relationship between Harrisburg University and UPMC; he confirmed that it would be addressed by representatives from those organizations.

Commissioner Reed stated she had no questions and felt the case report was clear and thorough.

Commissioner Jordan asked whether the proposed signage would be illuminated all day or just at night; the Applicant stated that the signs could be dimmed and that their usual operation was to keep the signs illuminated from dusk until dawn.

Commissioner Alsberry asked whether there was anyone from the public for or against the project.

Mr. Ryan Riley, Vice President of Harrisburg University (326 Market Street, Harrisburg, PA), noted that he was speaking in favor of the project and wanted to address the inquiries regarding the partnership with UPMC. He stated that the construction of the building was primarily an expansion of the University's academic campus, and that an anchor of that was their Health Sciences programming, which led to a partnership with UPMC. Mr. Riley stated that the building would host the largest nursing school in the commonwealth with approximately 200 nurses. He noted that UPMC's programming would occupy more than a quarter of the building's square footage and thus they were an integral part of the campus.

Mr. Riley provided some background on institution's history, noting that the study which resulted in the establishment of Harrisburg University had highlighted that Harrisburg was the largest capital city in the country without a four-year university. He stated that they wanted to the building to stand out as a representation of the school. Commissioner Alsberry asked whether the signage was related to the partnership or whether it was an issue of naming rights. Mr. Riley stated that it was both, noting that UPMC leased two floors of the building and they also accommodated two of UPMC's nursing schools; he also confirmed that the signage would be installed on the building through a ten-year agreement which ran concurrent with the academic contract.

Mr. Paul Toburen, Vice President of UPMC (111 South Front Street, Harrisburg, PA), noted that their nursing program and collaboration with Harrisburg University was one of the largest in the commonwealth. He noted that there was a nationwide nursing shortage which affected not only residents of the city but of the surrounding region as well. Mr. Toburen noted that 50 nursing students would soon be graduating, that 250 students were enrolled in the Fall 2023 semester, and that they had an accelerated program that would graduate students in sixteen months. He noted that the program would allow UPMC to more fully staff their Harrisburg facility and that most of the nurses would also reside in the area as well, which would be a benefit to the local economy.

Commissioner Alsberry stated that the request was fairly straightforward and that he was in support of the proposal. He stated that he was on the board at HACC and that they also had a relationship with Harrisburg University's nursing program; he stated that he was glad to see all of the institutions working together. He reiterated that he was in favor of the project.

Commissioner McKissick moved, and Commissioner O'Toole seconded the motion, to Approve the request. The motion was adopted by a unanimous vote (5-0).

**2. Land Development Plan Application for 228 Walnut Street, zoned Downtown Center (DC), filed by Yasser Hellel, Esq., to convert the former Federal Courthouse building into a 162-unit apartment building with potential ground-floor commercial space.**

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

1. The Planning Bureau recommends that the Applicant coordinate with the City Arborist regarding landscaping on-site and consider installing native plants and pollinator plants in landscaped areas around the perimeter of the site.

2. The Planning Bureau recommends that the Applicant provide information regarding the economic impacts of the project in advance of a review by City Council, so that the City can better understand the circumstances of the property and consider the potential impacts.
3. The Applicant will coordinate with the Department of Public Works to ensure that the account billing is updated to reflect the proposed change in use, and that the refuse storage and removal are appropriate for the site.

The case was represented by Yasser Hellel, Esq. with 1422 Route 179 Florida Realty, LLC (the property owner and developer), 17 Daffodil Way, Old Bridge, NJ 08857; Vern McKissick with McKissick Associates Architects (the project architect), 317 North Front Street, Harrisburg, PA 17101; Marc Kurowski with Kurowski & Wilson, LLC (the project engineers), 2201 North Front Street, Suite 200, Harrisburg, PA 17110; and Jonathan Bowser with Steelworks Construction (the project manager), 430 North Front Street, Wormleysburg, PA 17043 (aka “the Applicants”).

Commissioner Alsberry asked the Applicants whether the conditions in the case report were acceptable; they confirmed that they were. He noted that one of his primary concerns in reviewing similar projects was the amount of parking provided; he acknowledged that the Zoning Code did not require the project to provide parking, but noted that it might be an issue given other developments in downtown and for future residents of the proposed development. He asked if the Applicants could address the approach to parking.

The Applicants confirmed that while they were not required to provide parking, they were trying to secure off-street spaces for practical purposes, noting that future residents would likely want parking for themselves and guests. They stated that they had been in coordination with Standard Parking regarding long-term leases in adjacent municipal facilities; they also noted their intention to install electrical charging stations in the basement garage. The Applicants confirmed that they were converting the 55 “valet-style” spaces in the basement to 30 regular parking spaces, including ADA spaces and secure space for bicycle and scooter parking. They also noted they had discussions with Standard Parking regarding the reservation of on-street spaces on the Locust Street side of the building for deliveries to the secure mailroom on-site; they noted that the proliferation of package deliveries would necessitate reserved parking to accommodate delivery vehicles.

The Applicants noted that in converting an office building into a residential apartment building, the project would result in an overall net reduction in the amount of parking required. They also noted that the federal government had previously leased a large number of spaces from the adjacent garage facilities. The Applicants stated that they were considering a variety of commercial uses for the first floor and thus they weren’t sure what the parking demands would be, but noted that they would be complementary to the residential components so that some spaces could be shared.

Commissioner Alsberry noted that the Applicants would likely be asked about unit affordability by City Council, and inquired whether they had considered the inclusion of affordable units and what form that may take. The Applicants noted they were studying the pro forma and whether and how affordable units could be included; they stated that they were looking forward to discussing the issue with City Council.

The Applicants also addressed MBE/WBE participation. Mr. Bowser stated that they were intending on contracting with local companies based in the city and were also focused on engaging MBE/WBE contractors as much as possible; they stated that they would hold a preliminary meeting with interested contractors and encourage them to register for a bidding list. He noted that he had pursued a similar process for a recent project on North 6<sup>th</sup> Street, which resulted in attendance by approximately 60 contractors and the beginning of an MBE/WBE list.

Commissioner Alsberry asked whether any of the commissioners had comments, questions, or concerns about the project.

Commissioner McKissick stated that he was recusing himself from the discussion and vote on the project.

Commissioner O'Toole inquired about the number of efficiency, one-, and two-bedroom units. The Applicants stated that the majority were one-bedroom units with fourteen two-bedroom units and a couple studio units. They highlighted a Powerpoint presentation (which they referenced throughout the remainder of the discussion) which illustrated the building's floor plans; they noted that converting office buildings to residential units was challenging because of the way space and access was laid out and code requirements for the distinct uses, which resulted in narrow and deep units. They described the general layout of each unit type and noted that some of the units would be ADA accessible.

The Applicants noted that some of the floors would contain small office spaces for residents in the central stair/elevator spine of the building. They also noted that commercial or amenity space was being considered for the ninth floor as the two former courtrooms were 28 feet tall and thus could accommodate potential non-residential use. The Applicants noted that the upper floors would have more of the two-bedroom units. They stated that the thick concrete floors necessitated stacking of units in a way which allowed utilities to be run through as few penetrations as possible. The Applicants noted that the rooftop penthouse would have utilities, a common room/lounge area, a fitness center, a catering kitchen, and a rooftop deck running around the perimeter of the building. Finally, the Applicants noted that a former bomb shelter in the subbasement would be converted to storage units.

Commissioner O'Toole stated that he appreciated the Applicants' efforts to address the parking situation, agreeing that it was in their best interest to find ways to reserve off-street parking nearby. He noted that while the parking issues could be obviated by keeping the property as an office building, such uses were difficult in a post-COVID environment, and that he felt the project use was a reasonable proposal. The Applicants noted that they might include some limited office space or perhaps live/work units, but that they had not finalized the non-residential components of the project.

The Applicants stated that none of the building's footprint or exterior would be changed as part of the project and that they would be retaining much of the interior elements such as terrazzo floors and marble walls. They stated that the building was currently undergoing a preliminary determination of eligibility to be placed on the National Register of Historic Places by PHMC.

They noted that the building was a great illustration of mid-Century/late Modern architecture and the only such case in Harrisburg, and a great example of federal courthouses from its period of construction. They stated that its primary value was cultural and based on the trials and events that occurred in the building.

The Applicants noted that the glass curtain walls had to be modified slightly to allow operable windows but that the alterations would not be evident from the street level. They also noted that they would be installing “low-grade night lighting,” to illuminate what would otherwise be a dark hole in the streetscape. The Applicants noted that the poured-in-place, polished concrete floors and high ceilings were great amenities which new construction often sought to imitate. The Applicants noted that the building had been designed in 1962 with construction finished in 1967, and that there had been limited improvements since that time, as the federal government had expected to construct new courthouses across the country after the bombing of the Oklahoma City courthouse in 1995.

The Applicants stated that they expected the project to bring approximately 240-280 residents to the downtown neighborhood. Commissioner O’Toole stated that a project of that nature could be very impactful. Mr. McKissick recalled when the Pennsylvania Place apartment building had been shuttered in 1994 due to frozen pipes, and noted that the loss of 480 people resulted in a noticeable impact on downtown.

Commissioner Reed stated that her questions regarding the unit affordability and historic designation process had been answered by the previous testimony. She stated that the proposed units were fairly spacious and that the two-bedroom units were about the size of her home. The Applicants stated that they had originally considered proposing more units, but that they removed about two units per floor in the final design to ensure they could be more spacious. They also noted that removing the drop ceilings would result in twelve-foot-high ceilings, which would increase the amount of space in each unit.

Commissioner Jordan asked how many of the units would be ADA accessible. The Applicants stated that 36 of the units would be ADA-accessible, but that they were also trying to ensure all the units were designed to “visitability” standards so that anyone could visit comfortably and so that units could be modified in the future to accommodate those with temporary or permanent disabilities.

Commissioner Jordan noted that the engineer’s report had referenced cracked sidewalks and potholes around the site and asked whether the Applicants had a plan to address those comments. They noted that the project would involve a substantial number of construction vehicles on and around the site, which would exacerbate those issues, and that they would be addressing the surrounding infrastructure once work on the building was complete. They stated that the landscaping would be designed to include native plants. The Applicants also noted that the units would include heat pumps and have lots of natural light, which would help reduce energy and enhance the sustainability of the building.

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

Commissioner Alsberry stated that he felt it was a great project and would bring a significant economic benefit to the city, particularly in converting the site to a taxable property and bringing more residents downtown to support local businesses. The Applicants noted that it was a rare instance of a tax-exempt property being brought onto the tax rolls, which was important considering that about 50% of the properties in the city were tax-exempt.

Commissioner O'Toole moved, and Commissioner Jordan seconded the motion, to Approve the request with Staff Conditions. The motion was adopted by a unanimous vote (4-0; Commissioner McKissick, as the Applicant, recused himself from the discussion and vote).

**OTHER BUSINESS:**

Commissioner Alsberry asked Planning Bureau staff whether there was any other business to discuss. Mr. Knight noted that there were no issues to discuss.

**ADJOURNMENT: 7:20 PM**

Commissioner McKissick moved, and Commissioner Jordan seconded the motion, to adjourn. The motion was adopted by a unanimous vote (4-0).