

MINUTES

HARRISBURG PLANNING COMMISSION REGULAR MEETING

April 3, 2024

**THE MARTIN LUTHER KING, JR. CITY GOVERNMENT CENTER
CITY COUNCIL CHAMBERS**

MEMBERS PRESENT: Joe Alsberry, Chair
Vern McKissick, Vice Chair (arrived at 6:32 PM)
Shaun O'Toole
Jamesetta Reed
Anne Marek
DeRon Jordan
Joe Canamucio

MEMBERS ABSENT: N/A

STAFF PRESENT: Don Styer, Assistant City Solicitor

CALL TO ORDER: 6:30 PM

APPROVAL OF MINUTES: Commissioner Canamucio moved, and Commissioner Marek seconded the motion, to approve the minutes from the March 6, 2024 meeting without corrections. The motion was adopted by a unanimous (6-0) vote.

OLD BUSINESS: N/A

NEW BUSINESS:

- 1. Special Exception Application for 215 Reily Street, zoned Residential Medium-Density (RM), filed by Tyler Hockenberry with Down to Earth Barbershop, to establish a "Personal Services" use on-site and to request relief from the associated off-street parking requirements.**

The case was represented by Tylor Hockenberry with Down to Earth Barbershop (the business owner), 1206 North 2nd Street, Harrisburg, PA 17102 (aka "the Applicant").

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

1. If the Applicant intends on installing signage beyond the window decals referenced in their application, or intends on any other exterior alterations, they will submit a Certificate of Appropriateness (COA) application and receive HARB approval.

Commissioner Alsberry asked the Applicant whether the condition in the case report was acceptable; he stated that it was. Commissioner Alsberry asked the Applicant whether they had anything to add to the case report; he stated that he did not.

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Commissioner Alsberry noted the Planning Bureau's case report had confirmed that a "Personal Services" use had previously been operating on-site and that a lack of parking for such use had not created adverse impacts on the neighborhood, and also noted that the Applicant had stated that most of the clientele would be from the neighborhood, but asked whether parking would become an issue if the business grew. He noted that the Applicant's business plan indicated that he expected ten clients a day and asked whether it was reasonable to assume that they would all walk from the neighborhood; he stated that he expected at least some of his clients to drive and asked the Applicant where they would park. The Applicant stated that he had secured a verbal agreement with the owner of the Midtown Cinema for use of the parking lot at 1501 Green Street for any over flow parking, but noted that he expected that on-street parking would be sufficient for most customers.

Commissioner Alsberry stated that one of his concerns in reviewing projects was whether the Applicant had engaged the community before being heard by the Planning Commission, and thanked the Applicant for providing a signed petition of support with the application submission. The Applicant confirmed that he had secured signages from both local residents and surrounding businesses.

Commissioner Alsberry asked whether any of the Commissioners had comments or concerns about the project.

Commissioner McKissick inquired as to how many chairs the business would have; the Applicant stated that the business would start with two chairs and that he might increase that number to a maximum of four chairs depending on the success of the business.

Commissioner O'Toole asked Planning Bureau staff how much relief from the off-street parking the proposal required. Mr. Knight noted that the previous use of the property was a "Crafts or Artisan's Studio" and confirmed that the proposed use required two more spaces than that use. He also noted that "Personal Services" uses had previously operated on-site under the off-street parking regulations of the current Zoning Code, and that the lack of parking would have been considered a continuing non-conforming aspect of the site. Mr. Knight confirmed that when the previous "Crafts or Artisan's Studio" was established on-site, it broke the chain of non-conformity and reiterated that the proposed use required two additional spaces than the previous use. Commissioner O'Toole noted that the lack of parking may create issues for the Zoning Hearing Board; Mr. Knight stated that the use history of the property provided strong support for the requested zoning relief.

Commissioner O'Toole noted that the existing conditions photos provided by the Applicant indicated that the interior had been retrofitted and asked the Applicant whether they had started operating. The Applicant confirmed that he was in the process of updating the interior and had not completed refurbishing the space, and that he had not opened the business.

Commissioner Reed stated that she had no questions.

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Commissioner Marek stated that she was in favor of the project; she noted that she lived nearby and that as far back as she could recall, the property had accommodated a “Personal Services” use. She stated that it was a fairly low-intensity use that was appropriate for a mixed-use corridor such as Reily Street where more activity was being encouraged; she stated that she felt the off-street parking relief was a negligible concern and hoped the Zoning Hearing Board would agree. The Applicant stated that clients’ appointments generally lasted only 30-45 minutes, and thus those that drove would not be occupying on-street parking for very long.

Commissioner Jordan stated that he had no questions and concurred with Commissioner Marek that it would be beneficial for the space to be reactivated.

Commissioner Canamucio stated that he had no questions.

Commissioner Alsberry asked if there was anybody for or against the project. There were no comments or questions from the public.

Commissioner O’Toole moved, and Commissioner Reed seconded the motion, to Approve the request with Staff Conditions. The motion was adopted by a unanimous vote (7-0).

2. Special Exception Application for 315 North Front Street, zoned Riverfront (RF), filed by Vernon Jones with GWO LLC, to convert the existing office building into an eight-unit apartment building, featuring two designated affordable units, and to request relief from the associated off-street parking requirements.

The case was represented by Esch McCombie with McNees, Wallace & Nurick (the legal counsel), 100 Pine Street, Harrisburg, PA 17101; and Vernon Jones with GWO, LLC (the project developer), 224 Harris Street, Harrisburg, PA 17102 (aka “the Applicants”).

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

1. If granted zoning approval to move forward with the project as proposed, the Applicant will file a Land Development Plan for the development of eight units, as required by the Municipalities Planning Code (MPC), and receive approval from the City Council. The Applicant will also receive a Certificate of Qualification pursuant to Chapter 12-101 of Title 12, Affordable Housing Certification prior to recording the Land Development Plan with the Dauphin County Recorder of Deeds.
2. The Applicant must provide documentation confirming that the monthly parking passes in the River Street garage have been approved by Standard Parking.
3. If any exterior alterations are proposed, the Applicant will submit a Certificate of Appropriateness (COA) application and receive approval from HARB.
4. 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.

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

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they had anything to add to the case report. They stated that they were hoping the project would be approved so that the property could be brought back into productive reuse; they confirmed that the project would involve two two-bedroom units and six one-bedroom units, that two of them would be classified as affordable units, and that one of them would be ADA-compliant and -accessible. The Applicants confirmed that four parking spaces would be installed on-site and noted that the remainder would be provided in the River Street Parking Garage. They stated that they met the conditions for relief from the off-street parking requirements and noted that there were no other requirements for “Multifamily Dwellings” in the RF zoning district.

Commissioner Alsberry referenced the existing conditions photos submitted with the application documentation and asked whether the parking would be provided directly behind the building in the area enclosed by the brick wall. The Applicants confirmed that would be the case and noted that tenants of the previous “Office” use on-site had parked there as well.

Commissioner Alsberry asked whether any of the Commissioners had comments or concerns about the project.

Commissioner McKissick noted that his firm occupied the property to the north and stated that he was looking forward to seeing the property be reactivated. He noted that for the past few years, they had had issues with unhoused people using the property to access their own including climbing on the roof of their building. Commissioner McKissick stated that he appreciated the Applicants had addressed concerns about parking expressed by the neighborhood during previous meetings, and stated that he felt tenants of the building would be able to afford the spaces being purchased in the garage.

Commissioner O’Toole asked Planning Bureau staff whether there were any density regulations which applied to the project; Mr. Knight confirmed that there were no density restrictions for the Riverfront zoning district. Commissioner O’Toole asked whether the affordable units would be one or two bedrooms; the Applicants confirmed that the affordable units would each be one bedroom. Commissioner O’Toole noted that he drove by the property every day on his way to work but had not noticed just how bad of a condition the building was in, and stated that he was in support of the proposal.

Commissioner Reed stated that she had no questions.

Commissioner Marek asked Planning Bureau staff what zoning allowances the Applicants received from including affordable units in the project. Mr. Knight noted that the Riverfront district did not have the same Development Standard bonuses that applied to the Residential Low-Density, Residential Medium-Density, and Commercial Neighborhood zoning districts, and confirmed that the benefits were limited to a reduction in the amount of required off-street parking.

Commissioner Marek concurred with the other commissioners’ statements in support of the project and noted that the project would return a former commercial building to its original residential use. She noted that while the property was in the Riverfront district, it was located in

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the downtown neighborhood and could just as easily be considered a Downtown Center-zoned property which would not require off-street parking relief. Commissioner Marek stated that she appreciated that the Applicants were securing parking in the River Street Parking Garage regardless.

Commissioner Jordan noted that the floor plans proposed the removal of the elevator in the building and asked if there was a particular reason for doing so. The Applicants noted that the elevator was old and small, and stated that they felt it would be a liability more so than an asset for future tenants. Commissioner Jordan inquired as to the rental rates for the affordable units. The Applicants stated that it would be based on Area Median Income (AMI); they stated that based on the rates for other properties they owned in the area, they were considering renting the two-bedroom units for \$1,450 and the one-bedroom units for approximately \$950. They reiterated that the rates would be consistent with the rates in the City's affordable housing ordinance.

Commissioner Canamucio asked whether they would have to install curb cuts in order to create parking in the rear courtyard; the Applicants noted that it was currently accessible to the street. They noted that the previous office tenants parked three vehicles on-site but reiterated that they only intended on having two spaces in the courtyard since one of them would be an ADA parking space which required more room.

Commissioner Alsberry asked if there was anybody for or against the project. There were no comments or questions from the public.

Commissioner Marek moved, and Commissioner Jordan seconded the motion, to Approve the request with Staff Conditions. The motion was adopted by a unanimous vote (7-0).

3. Special Exception Application for 1728 North 2nd Street, zoned Residential Medium-Density (RM), filed by the Gaudenzia Foundation Incorporated, to expand the existing "Supportive Housing – Family" use from eight to twelve individuals and to request relief from the associated off-street parking requirements.

The case was represented by Sean Delaney with Stevens & Lee (the legal counsel), 17 North 2nd Street, 16th Floor, Harrisburg, PA 17101 (aka "the Applicant").

Commissioner Alsberry asked Mr. Knight if the commissioners should review the case, given that that the Planning Bureau was recommending the case be continued; he stated that they should proceed with an introduction of the case in the event that the Applicant did not concur with the Planning Bureau's recommendation. Mr. Knight gave a synopsis of the report, recommending a Continuance.

Commissioner McKissick asked the Applicant whether the recommendation in the case report was acceptable; he responded that it was. He noted that he was new to the case, and that he felt it would be beneficial to sit down with the Planning Bureau and the Law Bureau to discuss the history of the case and the various issues involved. He noted that the Planning Bureau had

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included documentation in its public posting on the website that they had been searching for in their client's files. They reiterated their support for the continuance request.

Commissioner Alsberry asked whether any of the Commissioners had comments or concerns about the project.

Commissioner McKissick stated that his primary question for the Applicant to address at the next meeting was where the residents would live; he noted that there were only ten individual bedrooms. The Applicant confirmed that there would be more than one resident per bedroom, noting that the City's building code regulations for determining the number of residents was less stringent than the State's regulations. He confirmed that there would be more than one person per bedroom, which was the current situation in which there were eight individuals in the five rooms on the second floor; he confirmed that the proposal would include occupancy of four of the rooms on the third floor which were currently empty.

Commissioner O'Toole stated that he had no questions.

Commissioner Reed asked whether the residents stayed for a specific period of time or were going through a program. The Applicant confirmed that residents were enrolled in a program and that their tenancy depended on their progress through the program; he confirmed that residents could be on-site anywhere from six months to eighteen months, although he was not sure of the maximum length of stay.

The Applicant stated that he received a call from the neighbor to the south who stated that the tenants were great neighbors and that they appreciated that they were always around and hanging out on the porch because they functioned as an informal neighborhood watch.

Commissioner Marek asked what the maximum capacity for the building would be based on the City's occupancy standards; the Applicant clarified that they were requesting approval for more than the twelve individuals noted in the Planning Bureau's case report and that they hoped to receive approval for as many as were permitted per the City's ordinances. Commissioner Marek inquired as to what that number would be; the Applicant stated that he thought it might be as many as 21 or 22 individuals, and that while they didn't intend on having that many residents, it would be more than twelve.

Commissioner Marek requested additional information on how the use was classified and inquired as to the applicable definition of the word "family." The Applicant stated that it was defined as a "group of people living in a domicile."

Commissioner Jordan stated that he had no questions.

Commissioner Canamucio stated that he had no questions.

Commissioner McKissick asked if there was anybody for or against the project. There were no comments or questions from the public.

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Commissioner McKissick moved, and Commissioner Marek seconded the motion, to Continue the request. The motion was adopted by a unanimous vote (7-0). Commissioner Alsberry encouraged the Applicant to coordinate with the Planning Bureau and to consider the commissioners' comments in their presentation of the case at the following months' meeting.

OTHER BUSINESS:

Commissioner Alsberry asked whether there was any other business to discuss; Mr. Knight stated that there were no additional issues from the Planning Bureau.

ADJOURNMENT: 7:05 PM

Commissioner McKissick moved, and Commissioner Canamucio seconded the motion, to adjourn. The motion was adopted by a unanimous vote (7-0).