CITY COUNCIL

Evidentiary Hearing

Zoning Public Hearing
Tuesday, November 16, 2020
238 N 6th St
Virtual

The purpose of this hearing is to consider a Conditional Use application for a temporary shelter at 238 N 6th St, located in an CR area which allows temporary shelters as a Conditional Use.

Due to COVID-19, the public is prohibited from physically attending the meeting. In person attendance is permitted in the Penn Room in City Hall – use the 8th Street doors. To attend the meeting via our virtual app, please log-in using the link or the dial-in phone number below

Due to COVID-19 also known as the Coronavirus the public speaking requirements have been modified. *Comments posted in Zoom Chat and on Facebook are not considered public comment and a response may not occur*.

Join from a PC, Mac, iPad, iPhone or Android device:

Please click this URL to join.
https://readingpa.zoom.us/j/84816881928?pwd=a1Q4djhNRnhKaktJblhZbC84RC8rQT09

Passcode: 021256

Or One tap mobile:

+13017158592,,84816881928#,,,,*021256# US (Washington DC)

+13126266799,,84816881928#,,,,*021256# US (Chicago)

Or join by phone:

Dial(for higher quality, dial a number based on your current location):

US: +1 301 715 8592 or +1 312 626 6799 or +1 646 558 8656 or +1 253 215 8782 or +1 346 248 7799 or +1 720 707 2699 or 877 853 5257 (Toll Free) or 888 475 4499 (Toll Free)

Webinar ID: 848 1688 1928
Passcode: 021256

Public Comment Instructions:

- To comment at a Regular Business Meeting, citizens can register by calling or emailing the City Clerk's Office by noon on the day of the regular meeting. Instructions to access the virtual meeting app or dial-in will be provided upon registration. Call 610-655-6205 or e-mail council@readingpa.gov
- Public comment for Regular Business meetings will also be accepted in writing by 4pm on the day of the meeting through an e-mail to council@readingpa.gov. The message must clearly be marked as Public Comment. The comment received in writing will be read into the record at the Regular Meeting.
- Those wishing to provide in-person comment at a Regular Meeting in the Penn Room must register with the City Clerk no later than 4 pm on the day of the meeting by calling 610-655-6204 or emailing council@readingpa.gov. The procedure to register to comment by signing a registration sheet before the start of the regular meeting will be suspended until the meetings are fully opened with everyone gathering in Council Chambers.
- Public comment for Special Meetings can be about agenda topics only. Please limit your remarks to no more than 5 minutes.

All remarks must be directed to Council as a body and not to any individual Council member or public or elected official in attendance. Any comment that is personally offensive or impertinent will not be read into the record.

I. Testimony from Applicant (No more than 10 minutes)

Owned by Road to Damascus, Pastor Scott

- **Council's Cross Examination**

II. Testimony from City Staff (No more than 10 minutes)

- **Council's Cross Examination**

III. Other Testimony and Evidence

IV. Public Comment (No More than 3 minutes per speaker)

V. Announcement of expected date of decision

City Council will render a decision by adopting an ordinance at the December 11th Regular Meeting of Council.

VI. Adjourn

DATE: **October 27, 2021**
FROM: **Linda A. Kelleher, City Clerk**

Please place the following ad in the Reading Eagle Times in the Public Notice Section on November 2nd and 9th - Account # 1333909

City of Reading Public Hearing
Conditional Use Application
Temporary Shelter
238 North 6th Street

The City of Reading City Council will be holding a public hearing to obtain public input on the application to establish a temporary shelter at 238 North 6th Street, Reading, PA. The public hearing will be held on November 16, 2021 at 5 P.M. virtually and at City Hall, 815 Washington St, Reading, PA, for those without internet and telephone access in accordance with City Council's hybrid meeting procedures. City Council intends to vote on the application at their regular business meeting on Monday, December 13, 2021.

Those wishing to provide public input about this application must contact the City Clerk to register by noon on November 16th by calling (610) 655-6204 between the hours of 8 A.M. and 4 P.M. or by emailing council@readingpa.gov. Those registering will be asked to submit their full name, mailing address, telephone number and email address. For additional information please call the City Clerk's Office, City Hall, 815 Washington St, Reading, PA at (610) 655-6204 or by email at council@readingpa.gov.

Linda A. Kelleher, CMC
City Clerk

Road to Damascus ("Applicant") is seeking approval for Conditional Use Application 2021-03 in order to permit transitional housing as a temporary shelter use at 238 North 6th Street ("Subject Property"). A temporary shelter is allowed as a conditional use within the Commercial-Residential (C-R) Zoning District.

(1) Background

The Subject Property is located at 238 North 6th Street (UPI 07530775812759), which is a 4,640 +/- square foot lot. It is bounded by: residential and commercial uses to the north; North 6th Street with residential uses to the east; residential, commercial and institutional uses to the south; and Church Street with residential, commercial and institutional uses to the west. The Subject Property has frontage along North 6th Street, and the property includes a designated off-street parking area on the rear of the property with access to Church Street. The Subject Property and the parcel immediately to the south, 234 North 6th Street, is also owned by the applicant. Both properties have frontage along North 6th Street and share an off-street parking area at the rear of the properties with a shared travel aisle, accessible from Church Street.

The Subject Property contains an existing three-story attached residential building that was approved for three apartment units in 2008 (ZP 2008-2236). Multifamily residential uses are allowed by right within the C-R Zoning District, subject to specific requirements that applies to residential apartments.

The Applicant proposes to modify or convert the existing three-story residential building into transitional or temporary housing for homeless women. The facility will contain nine bedrooms and will be designed to accommodate up to twelve residents at a time. Residents may receive services such as counseling, job training, and housing assistance. The objective of this program is to provide job skills and help the residents secure permanent housing opportunities within 60 to 90 days. This review is based on the assumption that the proposed use meets the definition of a "temporary shelter" which is defined by the City of Reading Zoning Ordinance as follows:

> ***Temporary Shelter****: A facility operated by a nonprofit agency providing temporary lodging, with or without meals, for persons of limited income with no ordinary or regular residence or to persons who need such shelter to avoid an abusive situation or because of a sudden event, such as fire, flood, domestic violence, condemnation, or court-ordered eviction.*

Applicant should provide suitable evidence that the proposed use meets this definition and would not be more appropriately characterized as a boarding house or group home. For example, Applicant should provide evidence that the organization is a nonprofit organization or agency, and should clarify the extent to which residents will be asked to make a financial contribution toward their room and board.

(2) Supporting Documents

The Applicant submitted Zoning Permit Application 2021-111, which was denied by the City of Reading Zoning Office on May 29, 2021. The Applicant appeared before the City of Reading Planning Commission on July 27, 2021. After consultation with the Zoning Office, the Applicant submitted a revised Conditional Use Application (2021-03) for review and consideration. Applicant

presented the revised Application to the Planning Commission on October 26, 2021, after which the Planning Commission issued a resolution recommending approval by City Council (PC Resolution No. 29-2021).

A related application for a temporary shelter was previously submitted for 234 North 6th Street (CU-2021-02). However, that application was withdrawn, and the Applicant has instead submitted an application for a business/clinic use at 234 North 6th Street (ZP 2021-527). The instant conditional use application addresses only 238 North 6th Street.

(3) Provisions Relating to a Conditional Use Application

Part 12 of the City of Reading Zoning Ordinance provides the standards that should be applied to conditional use applications. A conditional use should not be approved if it:

(1) Substantially increases traffic congestion along a street or creates a traffic safety hazard.

(2) Creates an undue concentration of population.

(3) Impairs an adequate supply of light and air to adjacent property.

(4) Creates a significant threat to the public health or safety.

(5) Is detrimental to the appropriate use of adjacent property through the generation of significant nuisances or hazards.

(6) Does not meet the requirements of this chapter.

In addition, the following standards shall be met:

(1) The use shall be one which is specifically authorized as a conditional use in the zoning district wherein the applicant is seeking a conditional use.

(2) Services and utilities shall be made available to adequately service the proposed use.

(3) The use will not generate traffic such that hazardous or unduly congested conditions will result.

(4) The use is appropriate to the site in question.

(5) The use shall not adversely affect the character of the general neighborhood, or the health and safety of residents or workers on adjacent properties and in the general neighborhood.

(6) The applicant shall demonstrate, as a condition to approval of his application, that the standards in this subsection and those specified elsewhere in this chapter for the use in question would be met.

(7) The City Council may impose such additional safeguards as are necessary to protect the public health, safety and welfare.

City Council should grant the proposed conditional use application only if it finds that the proposal conforms to the above requirements. [Zoning 600-1201-A; 600-1204-D]

(4) C-R Zoning District Lot Area, Coverage and Dimensional Requirements

The following lot area, coverage and dimensional requirements apply to the proposed use within the C-R Zoning District:

C-R Zoning District Lot Area, Coverage and Dimensional Requirements								
Permitted Uses	**Minimum Lot Size (square feet)**	**Maximum Building Coverage**	**Maximum Impervious Coverage**	**Maximum Height**	**Minimum Lot Width**	**Minimum Front Yard Setback**	**Minimum Rear Yard Setback**	**Minimum Side Yard Setback**
All uses unless otherwise noted	2,500	75%	90%	50 feet	25 feet	0 feet	10 feet	0 feet

Based upon the information submitted with Conditional Use Application 2021-03, it appears that the site can comply with these requirements. Further, the provisions for a nonconforming lot and/or building could also apply in the event of a zoning conflict. [Zoning 600-808-A and 600-607]

(5) Residential Facility Requirements

The proposed use on the Subject Property is a "temporary shelter", which is a permitted use by conditional use within the C-R Zoning District. The following provisions for a "residential care facility" a similar type of conditional use should be considered for purposes of this review:

(a) A site plan and architectural plans, drawn to scale, shall be submitted. These plans shall show the location and dimensions of off-street parking, private entrances, walkways, landscaping, the dimensions and square footage of each room and storage space and shall indicate the intended use of each room.

(b) No residential care facility shall be located within 800 feet of another group care facility, group institution, school, day-care home, or day-care center.

(c) One (1) off-street parking space shall be provided per employee computed on the basis of the estimated maximum number of employees at any one time, plus one space for each four patient/client beds.

(d) The premises at which the residential care facility is located shall be owned or leased by the social service agency sponsoring the group care facility.

(e) The sponsoring entity shall document to the Zoning Administrator that all building, fire, plumbing, heating, electrical and similar systems meet the standards set by the City and by the Commonwealth of Pennsylvania.

The Applicant should be prepared to discuss the above provisions as part of this Conditional Use Application. [Zoning 600-1203-I and 600-1204]

(6) Site Accessibility and Parking Requirements

The Applicant should provide at least one off-street parking space per employee and one space for every four beds. The total number of parking spaces recommended will be determined based on the number of employees on site. The Applicant should demonstrate that site accessibility and designated parking spaces are reserved for the "temporary shelter" on the Subject Property. It is recommended that a van accessible handicapped parking space be provided for this site. In addition, an access and parking easement may be required in connection with 234 North 6th Street

to provide ingress and egress for parking spaces at 238 North 6th Street. Alternatively, an annexation plan may be submitted to consolidate both parcels. [Zoning Parts 15 and 16]

(7) Land Development Plan

The Applicant has submitted an informal site plan with Conditional Use Application 2021-03. The Applicant should be prepared to resolve all zoning, planning and building code requirements that may apply to this use and a favorable decision relating to Conditional Use Application 2021-03. City Council may consider requiring an Annexation Plan to consolidate the two adjacent parcels, 234 and 238 North 6th Street in order to accommodate shared parking across both parcels. [Chapter 600 and 515 of the City of Reading Code]

(8) Building Code Requirements

A Zoning Permit Application and Building Permit Application shall be required for the proposed building renovations and conversions that shall be relevant to the Subject Property. The Applicant is advised that architectural plans, rendering and/or elevations shall be required to demonstrate compliance with building code requirements. [Zoning Part 3; SALDO Part 6]

(9) Recommendations

If City Council determines that the proposed use meets the applicable criteria for a conditional use, the Zoning Office recommends imposing following conditions:

(a) The Applicant shall comply with all provisions applicable to a residential care facility as specified by the Zoning Ordinance.

(b) Applicant shall install security cameras and a security system at the Subject Property and adjacent properties in common ownership.

(c) Public curb and sidewalk and other walkways throughout and adjacent to the site shall be repaired and maintained in accordance with City standards.

(d) The building façade shall be maintained in accordance with City standards.

(e) In consultation with Planning staff, Applicant shall submit an Minor Land Development and/or Annexation Plan with the City of Reading Planning Commission to address the provisions required by the Subdivision and Land Development Ordinance, including: neighborhood revitalization; architectural enhancement; vehicular and pedestrian site accessibility; curbs and sidewalks; driveways; off-street parking; stormwater management; sanitary sewage disposal; water supply; utilities; landscaping and street trees; solid waste disposal; and other supplemental requirements that may apply to the proposed use.

(f) Architectural plans, rendering and/or elevations shall be submitted in order to demonstrate compliance with applicable code requirements.

(g) All sanitary sewage disposal issues shall be resolved to the satisfaction of the City of Reading, including the reservation, permitting, installation and connection of the required sanitary sewage disposal improvements. If required by the Department of Public Works, sewer planning modules shall be submitted to the City of Reading in accordance with the provisions specified by the City of Reading, Pennsylvania Department of Environmental Protection, and other agencies with jurisdiction.

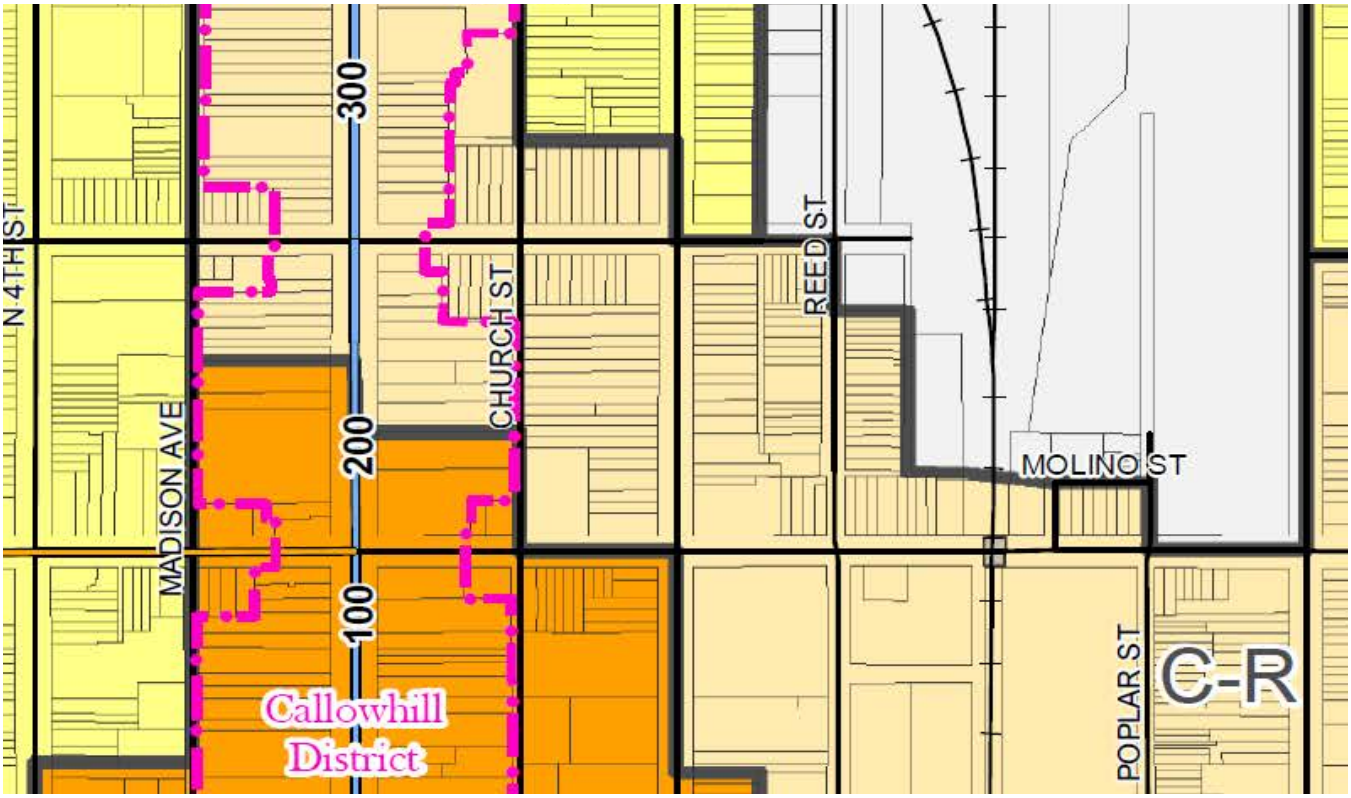
(h) All water supply issues shall be resolved to the satisfaction of the City of Reading, including the reservation, permitting, installation and connection of the required water supply improvements

(i) All proposed signs shall be located, designed, permitted and installed in accordance with the provisions specified by the City of Reading.

(j) The appropriate building and zoning permits shall be prepared and submitted to address all building code requirements for the proposed residential apartment units.

(k) The building shall comply with all fire, safety and accessibility requirements specified by the City of Reading prior to occupancy.

(l) The Applicant shall provide all licenses that are required by law for the ownership and/or operation of the facility.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