

**Minutes**  
**Regular meeting of the City of Reading Planning Commission**  
**October 22, 2013 at 7:00 pm**

**Members present:**

Ermete J. Raffaelli, Chairman  
Michael E. Lauter, Secretary  
Wayne Jonas Bealer, Assistant Secretary

**Staff present:**

Andrew W. Miller, Planning Office

**Others present:**

Stephen H. Bensinger, Stackhouse Bensinger Inc.  
Stephen F. DeLucas, Reading Eagle Company

Chairman Raffaelli called the October meeting to order, and asked for acceptance of the agenda. Mr. Miller said the Iglesia Cristiana land development plan needed a reaffirmation of its June approval. Mr. Lauter moved to accept the October 22nd agenda, with the addition. Mr. Bealer seconded. And the Commission voted unanimously to accept the modified October agenda.

**Subdivision and Land Development:**

315 Pear Street Subdivision – final subdivision plan [0:01.06]

Mr. Bensinger, whose firm prepared the plan on behalf of Our City-Reading Inc., recalled that 315 Pear Street had burned before being demolished and given to Our City-Reading. As they had renovated 133 and 135 Elm Street, they offered to annex the now vacant lot to them. He felt he could satisfactorily address each of the comments in the Planning Office review letter, but noted a problem in obtaining the zoning permit. Mr. Miller confirmed that one had been issued, on October 4th according to his notes. He agreed that his review issues were relatively minor. Asked about the condition of the vacant lot, Mr. Bensinger said the owner plans to lay sod prior to its conveyance, after which it will become the responsibility of the grantees. He would add a note on the plan explaining that intention. He said new deeds would be written that include the annexed property in the descriptions of 133 and 135 Elm Street. Mr. Lauter wondered why so much of the lot was proposed for 135 Elm Street, rather than dividing it more equitably among the abutting parcels. Mr. Bensinger wasn't sure, merely following the direction of his client. He wasn't sure if Our City-Reading approached the other owners, or whether they were even interested. Mr. Raffaelli suggested a space or common driveway that would provide access to each of the rear yards, and presumably add value to each property. Mr. Bensinger guessed that Our City-Reading would probably resist the cost of constructing an alley. He noted that those other properties were also closed in when the former house stood. Asked if any other changes were planned, such as fencing, Mr. Bensinger answered not by Our City-Reading, but possibly by the grantees once conveyed. Asked if there were to be any changes in, or easements provided for what appeared to be several minor encroachments onto 315 Pear Street, Mr. Bensinger said not, describing them as 'existing conditions'. The Commission discussed the occupancy of the neighboring dwellings, and the elevation changes across the site. Mr. Lauter wondered if the owner of 135 Elm Street had any hesitations in accepting responsibility for the added property. Mr. Bensinger said the owner agreed and would sign the plan so indicating. Mr. Raffaelli thought it an expedient way to handoff the unwanted lot, but felt it deserved studying some other options that would enhance each of the properties. Mr. Bensinger thought the owner had planned to attend the meeting to answer such questions. Mr. Lauter foresaw a potential property maintenance concern, and considered that the other neighbors may have refused an offer. Mr. Bensinger had hoped for a conditional, final plan approval, but understood the Commission's concerns. Mr. Miller acknowledged that they had time to spare, if they preferred to wait on an explanation, adding that both the Zoning and Planning offices had made similar inquiries. Mr. Bensinger agreed to communicate the issues to his client. Mr. Miller commended the general 'completeness' of the plan. Mr. Raffaelli suggested they could do better, and simultaneously serve more interests.

Mr. Bealer moved to table the final plan, pending additional explanation from Our City-Reading Inc. Mr. Lauter seconded. And the Commission voted unanimously to table the '315 Pear Street Subdivision' plan.

RDG North Reading Cell Site – final land development plan [0:18.19]

Mr. Miller reported that he wasn't expecting an appearance, as they were still waiting on approvals from both the Berks County Conservation District, for the erosion controls, and the Pennsylvania Department of Transportation, for the 'highway occupancy'. He mentioned their delays in initiating those applications. He said the

latest revisions do make an effort to landscape the driveway entrance, as the Commission had requested at the September meeting. Access concerns and possible signage and turn restrictions at the driveway were briefly discussed.

**Other business:**

§609.c review-zoning amendment ordinance, various sections [0:23.06]

Mr. Miller distributed an October 21st memorandum from the City Clerk, giving additional explanation and commentary on the proposed amendment which was included with their other meeting materials. He advised the Commission to refrain from making a formal recommendation until certain other parties have had their say, notably the Law Department and County Planning Commission recommendations. Mr. Bealer questioned the restricting of restaurant operating hours. Mr. Miller said he wasn't involved in drafting the amendment, which addresses several sections of the Zoning Ordinance, and hoped someone could attend a future presentation with answers to specific questions.

§303.a.1 review-memorials/monuments on public grounds ordinance [0:28.14]

Mr. Bealer questioned the use of the term 'inanimate' in qualifying the regulated monuments. He wondered about the professional makeup of the committee, which would seem to preclude any 'public' appointees and input. Mr. Miller shared that query, adding a question about the eligibility of members serving on other 'boards, authorities and commissions'. He felt a need to balance the interests of the veterans groups represented with the responsibilities of the City, and the risk of continuing the usual pattern under the oversight of another group. He supported the effort, noting that City Council must be willing to revisit and refine the process if the policy doesn't work as envisioned. He said there seems to be differing assumptions among the stakeholders, even in their interpretation of the same draft ordinance. He hoped the policy would at least reduce the time currently involved in such reviews, and simultaneously control their random placements. A moratorium would take effect until lifted, once the review committee was seated. He said that all parties agreed there was a problem with the proliferation and assumed responsibility. He was less certain of the effect for the Historical Architectural Review Board and Planning Commission; whether the review committee takes over that role or just joins it. He said questions remain, recalling that the City-Arborist-turned-Operations-Manager investigated, but didn't find many parallel situations in other cities. A tree-memorial 'registry' had been suggested as an alternative, and given the age and condition of the trees in Penn's Common, could prove timely. Mr. Bealer suggested language allowing review committee members to appoint designees, to preclude attendance issues. He thought a non-profit entity might be appropriate for the administration of the perpetual maintenance and repair work, suggesting Reading Beautification Inc. as an umbrella organization. Mr. Miller mentioned that other groups had indicated their availability and willingness, and the possibility that they'd take responsibility for all memorials. He said he'd convey the concerns raised, and suggested the Commission signal its general support of or opposition to the proposed legislation. He agreed that several issues need clarification, among them the implications of the Planning Code on the role of the Planning Commission, and the Historic District Ordinance on that of the Architectural Review Board. He thought, pragmatically, it was preferable to vest the committee with either the final disposition on applications, or a direct recommendation to Council. He resisted any arrangement that would add time to the process. Mr. Lauter suggested limiting City Council's role to appeals of the review committee's decisions. He also asked about the policy's implications for the 'fine art' installations, efforts to reactivate a fine arts board, and possible representation of that interest on a memorial review committee. Mr. Miller acknowledged that the ordinance requires better definitions, at least, as the policy will extend to all City property.

Mr. Lauter moved to support City Council's efforts toward a better-defined review process, and a plan for the required maintenance and repair of public monuments, provided the legislation is amended to clarify the questions and concerns since raised. Mr. Bealer seconded. And the Commission voted unanimously to communicate that position to City Council.

**Resolution #31-2013**

§508.3 agreement to extension-Jet Set Restaurant Parking Area [0:59.04]

Mr. Raffaelli, noting the repeated requests for extension, questioned the seriousness of the applicant's interest and suggested a plan denial. Mr. Miller shared the sentiment, but recognized that some of the original project managers had recently been replaced. He recommended granting the extension. Mr. Lauter suggested adding a caveat regarding future extensions.

Mr. Bealer moved to extend the review of the Jet Set plan, as requested in an October 16th letter emailed from the design engineer, with the understanding that it would be the last extension. Mr. Lauter seconded. And the Commission voted unanimously to grant one final 90-day extension of the 'Jet Set Restaurant Parking Area' plan.

Additional discussion on the background and circumstances of the application followed.

**Resolution #32-2013**

review the draft September 24, 2013 meeting minutes [1:04.10]

Mr. Lauter moved to accept the September meeting minutes, as presented. Mr. Bealer seconded. And the Commission voted unanimously to accept the September 24th meeting minutes.

**Resolution #33-2013**

§513.a approval reaffirmation-Iglesia Cristiana [1:04.53]

Mr. Bealer moved to reaffirm the final plan approval for the Iglesia Cristiana expansion. Mr. Lauter seconded. And the Commission voted unanimously to reaffirm their June 25th final plan approval, Resolution 19-2013, for Iglesia Cristiana.

**Resolution #34-2013**

Mr. Bealer gave a brief update on the activities and direction of the Blighted Properties Review Committee.

Mr. Lauter moved to adjourn the October meeting. Mr. Bealer seconded. And the Commission voted unanimously to adjourn the October 22nd meeting. – 8:08p