

**Minutes**  
**Regular meeting of the City of Reading Planning Commission**  
**April 27, 2010 at 7:00 pm**

**Members present:**

Ermete J. Raffaelli, Chairman  
Brian Bingaman, Vice Chairman  
Michael E. Lauter, Secretary  
Wayne Jonas Bealer, Assistant Secretary  
Frederic deP. Rothermel Jr.

**Staff present:**

Andrew W. Miller, Planning Office  
Michelle R. Mayfield, Department of Law  
Charles M. Jones, Department of Public Works

**Others present:**

Robert B. Ludgate, Sr., Ludgate Engineering Corporation  
Alan W. Shuman, Shuman Development Group, Inc.  
Michael D. Hartman, McCarthy Engineering Associates, PC  
William J. Vitale, Designworks Architects, PC  
Mary Kay Bernosky, Berks Women in Crisis  
Stephen H. Bensinger, Stackhouse Bensinger, Inc.  
Louis Masciotti, Jr., Louis Masciotti Architect  
Sandra L. Solmon, Sweet Street Desserts, Inc.  
Carole Duran, Reading Eagle Company

Chairman Raffaelli called the April 27th meeting to order, and asked for acceptance of the agenda. Mr. Lauter moved to accept the April agenda, as presented. Mr. Rothermel seconded. And the Commission voted unanimously to accept the April 27th agenda.

**Subdivision and Land Development:**

Oley Street Retail Center (Shuman Development Group) - final subdivision/land development plan [0:00.33]

Mr. Ludgate recalled the previous presentations, and thought most of the issues raised had been resolved. Referring to the latest Planning Office and Public Works reviews, he noted the need for sewage planning documentation, currently under review, and a municipal improvements agreement, for which the cost estimates have been recalculated. He said the requested shopping cart 'corral' has been detailed on the plan, and called the other review comments "minor". He explained that a sanitary sewer "main" would be built from North 8th Street into the property, and maintained privately. Questioned on the placement of handicapped accessible curb ramps, Mr. Jones noted that a wall on the north side of the Oley Street precludes a complimentary ramp. He said he still needed to review the revised cost estimate, and had received a stormwater management plan. Mr. Miller felt the other sidewalk issues to have been resolved and offered to forward a copy of the City's improvements agreement template. Mr. Rothermel noted the Shade Tree Commission's purview over proposed street trees, and asked about the light fixtures. Mr. Shuman described them as similar to those installed at his "Burlington site" (1920 Kutztown Road), and with appropriate 'cut-offs'. Mr. Ludgate described the neighborhood as experiencing a turn-around from Shuman's efforts, and said an anxious tenant is prepared to begin construction as soon as the plan is approved.

Mr. Bealer moved to approve the final plan, provided corrections are made as directed by Public Works and the Planning Office, and that the sewage planning module and municipal improvements agreement are completed. Mr. Bingaman seconded. And the Commission voted unanimously to approve the Oley Street Retail Center final plan.

**Resolution #19-2010**

Complimented on his landscaping of some previous projects, Mr. Shuman claimed to have strong feelings about including green space in his urban projects, and mentioned retaining a part-time horticulturalist on his staff.

Barley Square - final land development plan [0:17.45]

Mr. Hartman, following on the February approval of the subdivision plan, described the intended land development: for Lot No. 2, 60 apartments over first-floor retail spaces; and, Lot No. 1 for Berks Women-in-Crisis' new administrative offices, emergency shelter and bridge housing. He indicated a planned service entrance from Chestnut Street, 30 off-street parking spaces, a private sitting area and secure playground. He said the Planning Office comments are easily addressed, and promised some answers to the Public Works' questions. He said they weren't seeking action on the plan, since they were waiting on the County Planning Commission's review. Mr. Miller agreed that his plan comments were minor. Mr. Jones clarified that his questions pertain to the traffic changes proposed, and their timing. Mr. Hartman said Grape Street would be widened and made 'two-way' with the land development, though the developer was still considering the timing and necessity of the Chestnut Street change. He said Tripoint's representative would attend the next meeting. He assured a complete demolition of the existing structures will precede any new construction, and expected the two new buildings to commence simultaneously. Asked about zoning approvals, Mr. Hartman said variances were granted from the setback and off-street parking standards. Ms. Bernosky explained that their staff totals 40, 13 of which are aides at the Orange and Muhlenberg Street location. As a 24-hour operation, she said the others aren't all on-duty at once. Mr. Hartman described the landscaping plan, to replace some missing street trees and add several more in the interior for the seclusion and buffering of the outdoor spaces, and 'rain gardens' as a stormwater management practice. Mr. Vitale described a week-long design charrette, and again partnering with Re:Vision Architecture "on the LEED stuff" (Leadership in Energy and Environmental Design). He said the landscaping provisions are a part of that certification process. He said the project was motivated by Women-in-Crisis needing to consolidate their administrative, shelter and bridge housing components. Ms. Bernosky explained the "bridge housing" provides a three to six month transition, while the shelter service is (by State regulation) no more than a 30-day stay. Mr. Vitale went on describing the interior space planning. He said the building reached four floors, but the fourth is "handled with dormers" in order to pitch the roof and better reflect the surrounding residential scale. He anticipated a combination of façade materials – masonry with some other siding material above it – to be presented in more detail at a subsequent meeting. Asked about the clients' needs for off-street parking, Ms. Bernosky said that's rarely been their experience. Mr. Miller confirmed that Shade Tree Commission has reviewed previous versions of the plan. On lighting, Mr. Hartman, again noting LEED guidelines, proposed lower-wattage LED (light-emitting diode) fixtures, mounted at 25 feet, and with full cut-offs.

Pending the County Planning review and some other revisions, Mr. Rothermel moved to table the final land development plan. Mr. Bingaman seconded. And the Commission voted unanimously to table the Barley Square final plan.

#### R&D Building Addition (Sweet Street Desserts) - final land development plan [0:48.29]

Mr. Bensinger described an addition to the existing Sweet Street facility on Hiesters Lane: a nearly 4500-square-foot expansion to the front, over a 120-inch storm sewer running east to west across the property. He said they'll be constructing an additional access manhole as part of the design, and moving some other utility laterals. He acknowledged the Planning Office review, and said an erosion and sedimentation control plan has since been submitted to the Conservation District. He characterized the other comments as "minor", and similarly the Public Works review. Mr. Miller confirmed that they were waiting on the County Planning review, as well. Turning to the architectural presentation, Mr. Masciotti indicated two materials: a split-faced concrete block and banding of glass tile, continuing the pattern of the existing facility, 14 feet high, and fully sprinklered. He said handicapped access is already provided through the existing building. He said the addition was necessary for the existing staff, and not for hiring additional. He noted signage planned at about 80 square feet, and meeting the Zoning Ordinance. Mr. Bensinger asked for approval, conditioned on the County Planning and Conservation District approvals. Mr. Bealer noted that the Planning Commission is unable to make such a condition. Ms. Solmon said they were anxious to get started and bring everyone "under one roof", trying to understand the multiple approvals and need for another presentation. Ms. Mayfield cited the Pennsylvania Municipalities Planning Code, and advised that they work toward getting everything in order for the next month, that the Commission might be able to both approve and endorse the plan. Mr. Miller lamented the tendency of applicants to submit plans at the very end of the deadline day, and expected the forthcoming ordinance revisions to require earlier submissions. He said there were no zoning issues to delay the project, at least. Mr. Jones said a structural engineer is designing the 'micropile' foundation which will span and protect the storm sewer, and that the new manhole is the only potential municipal improvement.

Mr. Lauter moved to table the final plan. Mr. Bingaman seconded. And the Commission voted unanimously to table the R&D Building Addition final plan.

**Other business:**

§603.c.2 conditional use review-430 Elm Street (residential care facility) [1:13.16]

Having distributed a written review, Mr. Miller explained he took a slightly different approach to the conditional use reviews; scoring the applications strictly against the line-item requisites of the Zoning Ordinance, and having met with the Legal Specialist, the Zoning Administrator, the Building Inspector and a property maintenance inspector to complete and verify those findings. He hoped to continue that process in the future, feeling it provided a clearer and more legally-defensible format. He suggested City Council had no alternative but to deny the application. He explained the format of the review: an introduction, a summary of the ‘area and bulk’ measures, the use-specific regulations and a location map. Ms. Mayfield appreciated the format, and expected it would assist with Council’s hearing the following night. She asked if the review was based on the ‘up to ten’ occupancy, a Zoning Ordinance distinction between “group care facilities” and “group care institutions”. Mr. Miller clarified that he so based the review on inferences made from the information provided on the application. He noted the ‘area and bulk’ deficiencies of the property, and a lack of separation distance from uses restricting the location of new residential care facilities.

Mr. Rothermel moved to recommend that City Council deny the conditional use application of 430 Elm Street, based on its failure to meet the minimum standards set forth in the Zoning Ordinance, at its parts 8 and 12. Mr. Lauter seconded. And the Commission voted unanimously to recommend that City Council deny the residential care facility at 430 Elm Street.

**Resolution #20-2010**

§603.c.2 conditional use review-315 North 6th Street (residential care facility) [1:18.18]

Mr. Miller noted some of the same deficiencies as with the Elm Street application, specifically the area and bulk standards. He noted the “general criteria” of the Zoning Ordinance’s section 27-1201 were a little subjective, but relied on the following section 27-1203.7 for its more prescriptive standards. He said the plan itself is incomplete, the required separation distances not met, and no staffing information was given in order to determine the off-street parking required.

Mr. Bingaman moved to recommend that City Council deny the conditional use application of 315 North 6th Street, based on its failure to meet the minimum standards set forth in the Zoning Ordinance, at its parts 8 and 12. Mr. Rothermel seconded. And the Commission voted unanimously to recommend that City Council deny the residential care facility at 315 North 6th Street.

**Resolution #21-2010**

§603.c.2 conditional use review-335 North 11th Street (conversion) [1:22.08]

Mr. Miller reported that the floor plans submitted with the application weren’t drawn correctly, and that the required off-street parking wasn’t available. He explained that the applicants have a bona fide two-unit, and want recognition of a third due to what they feel is a mistake in the City’s records, presumably because one had previously been ‘owner-occupied’. He suggested that was the applicant’s case to make to City Council, but that the application itself was deficient.

Mr. Rothermel moved to recommend that City Council deny the conditional use application of 335 North 11th Street, based on its failure to meet the minimum off-street parking standard required by the Zoning Ordinance. Mr. Bealer seconded. And the Commission voted unanimously to recommend that City Council deny the conversion of 335 North 11th Street.

**Resolution #22-2010**

Having been advised by Ms. Mayfield to designate a representative for the conditional use hearings, Mr. Lauter moved to authorize Andrew Miller to represent the Commission, and speak on its behalf at the conditional use hearings scheduled for the following night. Mr. Rothermel seconded. And the Commission voted unanimously to so designate Andrew Miller.

**Resolution #23-2010**

§513.a approval reaffirmation-Lands of Munzer Yacoub [1:26.48]

Mr. Miller recalled the previous approval, and said the municipal improvements agreement had only recently been completed. Mr. Bealer moved to reaffirm the “Lands of Munzer Yacoub” three-lot subdivision and townhouse land development. Mr. Bingaman seconded. And the Commission voted unanimously to reaffirm its

previous approvals (resolutions: 24-2008, March 11, 2008 and 58-2009, November 24, 2009) of the Lands of Munzer Yacoub final plan.

**Resolution #24-2010**

§209.1.b.2 review-draft zoning ordinance by Urban Research & Development Corporation [1:28.18]

Ms. Mayfield asked that another public meeting on the proposed zoning ordinance be scheduled and hosted by the Planning Commission. Mr. Miller stepped out to fetch copies of its most-recent draft. Ms. Mayfield read the dates available to both Urban Research & Development Corporation and the Pennsylvania Department of Community and Economic Development. Discussion continued on the members' availability, the purpose of such a meeting, progress made on the requested institutional overlay districts, and thoughts on possible neighborhood-scale presentations.

Mr. Bingaman moved to schedule and advertise a public meeting for Thursday, June 3, 2010 at 7:00p, with an open house beginning at 6:30p, for the purpose of reviewing and taking public comment on the draft zoning ordinance prepared by Urban Research & Development Corporation. Mr. Bealer seconded. And the Commission voted unanimously to schedule the June 3rd meeting.

**Resolution #25-2010**

review the draft March 23, 2010 meeting minutes [1:47.07]

Mr. Miller mentioned one correction that Wayne Bealer had requested by email. Mr. Bingaman moved to approve the March meeting minutes, with the requested correction. Mr. Lauter seconded. And the Commission voted unanimously to accept the March 23rd meeting minutes.

**Resolution #26-2010**

Referring to the recent attendance challenges, Mr. Bingaman asked if there was a legal way to authorize proxy votes to other members. Ms. Mayfield offered to research the possibility. Mr. Miller doubted it could be used to hold a meeting short a quorum of its membership. Mr. Bealer said they found they couldn't for another board on which he served, and said constant participation by phone for the duration of the meeting was their only means of holding a meeting without the physical presence of a quorum. Mr. Bingaman said his home-owners association allows other residents to be designated.

Mr. Bealer reported the Vending Licensing Board, earlier that day, had approved two more applications, but that the governing ordinance has since been changed so that future permit applications will be handled internally by the Property Maintenance Division, and the Board will become an appellate body.

Mr. Lauter reported speaking with David Reppert the previous week, who indicated he wasn't intending to serve another term, and would communicate the same to the Planning Office. Mr. Raffaelli suggested that, upon receipt of that communication, the Planning Office staff reciprocate with a letter expressing the Commission's gratitude. The need to elect the officer positions at the May meeting was mentioned. Mr. Raffaelli suggested Brian Bingaman and Michael Lauter handle the nominations. Mr. Miller reported that Edmund Palka's health was improving. He said he was hesitating to press members on their intentions, until and unless applicants came forward expressing interest in those positions.

Ms. Mayfield asked that written resolutions be prepared in-time for the conditional-use hearings, scheduled the following night. Mr. Bingaman agreed to make himself available to endorse them, when ready.

Mr. Raffaelli asked about the status of the City's order against Domenico & Lucia Brutto, regarding the unauthorized construction between 290 Morgantown Road and 15 Prospect Avenue. Ms. Mayfield said the City lost the case. She couldn't recall the judge giving a legal basis for the decision.

Mr. Bingaman moved to adjourn the April meeting. Mr. Lauter seconded. And the Commission voted unanimously to adjourn the April 27th meeting. - 9:04 pm.