

**Minutes**  
**Regular meeting of the City of Reading Planning Commission**  
**July 8, 2008 at 7:00 pm**

**Members present:**

Ermete J. Raffaelli, Chairman  
David N. Reppert, Vice Chairman  
Michael E. Lauter, Secretary  
Wayne Jonas Bealer, Assistant Secretary  
Edmund Palka

**Staff present:**

Andrew W. Miller, Planning Office  
Michelle R. Mayfield, Department of Law

**Others present:**

Eugene Orlando, Jr., Roland & Schlegel, PC  
Christopher J. Fell, United Corrstack, LLC  
Scott T. Miller, Stackhouse Bensinger Inc.  
Douglas F. Smith, Alvernia College  
Edward M. Mangold, KCBA Architects  
William H. Rehr, III, Department of Fire & Rescue Services  
Charlie S. Schmehl, Urban Research & Development Corporation  
Edward V. Giannasca, II, Giannasca Development Group, LLC  
Brian Bingaman  
David A. Kostival, Reading Eagle Company

Chairman Raffaelli called the July 8th meeting to order, reminded presenters to sign the attendance sheet, and asked for acceptance of the agenda. Mr. Miller requested that the review of the draft overlay district ordinance be shifted toward the end of the meeting, on account of the presenter's schedule. Mr. Lauter moved to accept the modified agenda. Mr. Palka seconded. And the Commission voted unanimously to accept the modified July 8th agenda.

**Subdivision and Land Development:**

Review the **preliminary** land development plan for the **CedarPak #4 Paper Mill (United Corrstack, LLC)**, a new paper mill proposed for the former Reading Tube Corporation building on that parcel known as 800 South Street. [0:01.28]

Mr. Fell offered the Commission an update of the progress made in addressing the preliminary review comments, and an extension of the statute-imposed deadline for plan approval. He noted that a written request for the same had been forwarded to the Planning Office. He said that since the plan's initial submission in May, he has attended a number of meetings with relevant officials. He said he met with the Zoning Administrator on-site, expecting her response within the next few weeks. He reported that Cumru Township officials had waived their rights to any further review at a meeting in June. He recalled an on-site meeting with Berks County Conservancy representatives regarding an extension of the trail, currently ending in Heritage Park, toward Neversink Mountain. He said the Conservancy had since issued a letter endorsing the designed provision for the trail. He expected a draft agreement of sale for acquisition of the Norfolk Southern Corporation bisecting the Corrstack properties. He said the City Engineer was satisfied with the stormwater management planning, and reported Entech Engineering's progress sufficient to proceed with the Berks County Conservation District's reviews of the erosion and sedimentation control and stormwater management. He mentioned having communicated the water and sewer service needs to the Water Authority and Utilities Division respectively. He expected to work directly with Black & Veatch Corporation, as Corrstack's projects may affect the plans for the City's wastewater treatment upgrades. He recalled a recent 'OneStopShop' meeting, focusing on the Fire Marshal's concerns for the demolition activities and future circulation between the buildings. He said the building inspectors had recently made a site visit to review the progress at Evergreen Community Power. He felt the progress made would put them in position for a "preliminary/final" approval within "a month or two". He offered to take questions, and repeated his request for a time extension.

Mr. Bealer asked if the on-site well would support the CedarPak project in addition to Evergreen Community Power. Mr. Fell said they had already secured the necessary permissions for additional drilling and withdrawal as part of that previous project.

§508.3 (Planning Code) agreement to extension-CedarPak #4 Paper Mill (United Corrstack, LLC) - preliminary land development plan

Mr. Reppert moved to grant the extension of review through September 9th, as requested by the applicant. Mr. Palka seconded. And the Commission voted unanimously to extend the review time for the CedarPak #4 Paper Mill plan.

Resolution #48-2008

**Other business:**

introduce the “firing range ordinance”, an amendment prepared and recommended by the planning agency, per §609.c (Planning Code) [0:14.27]

Mr. Miller offered a slight modification of the draft presented; suggesting that references to the Preservation (P) zoning district be eliminated, in favor of a new “municipal use” district, with all the dimensional requirements unchanged. Mr. Bealer asked if an ordinance defining the new district would follow. Mr. Miller expected it eventually would, though uncertain of its effect vis-à-vis the land development schedule of the Fritz Island Wastewater Treatment Plant upgrades. Mr. Bealer, reviewing the “firing range” definition, wondered if provisions for privately-operated ranges were necessary, and whether the City would be at legal risk without them. Mr. Miller recalled it having been discussed, but that the Police Department hesitated to address it. Ms. Mayfield suggested it be researched as part of the comprehensive ordinance rewrites. Mr. Lauter asked, and Mr. Miller confirmed that the range would be used only by the Reading Police Department. Mr. Palka asked about the deadline for leaving the existing range at the airport. Unsure of the exact date, Ms. Mayfield deferred to another City attorney handling the matter.

Mr. Bealer moved to submit the proposed ordinance to City Council, with changes just discussed. Mr. Lauter seconded. And the Commission voted unanimously to recommend adoption of the “firing range ordinance”, permitting City-operated firing ranges *by condition* in a new “municipal use” zoning district.

Resolution #49-2008

update-Blighted Property Review Committee [0:23.06]

Mr. Bealer reported that the Blighted Property Review Committee met the previous week, with three representatives from the Washington Street-area (NoWa) neighborhood group in attendance. He reminded that the Committee meets on the first Tuesdays at 6:00p.

appointment of a Commission member to a “land-use ordinance amendment committee” [0:24.51]

Mr. Miller said that, while no meetings had yet been scheduled, he expected them soon, possibly within the next month. Ms. Mayfield reported that a few more-immediate issues were already being addressed with specific amendments. Mr. Lauter, unsure of Fritz Rothermel’s position, recommended him as the most-appropriate representative. Mr. Miller suggested that, if the need arises in the next month, a member could ‘sit in’ until formal recommendations were necessary. He asked the Commission make its nomination at the August meeting. He agreed with Mr. Lauter’s first choice.

**Subdivision and Land Development:** (continued)

Review the **preliminary** land development plan for the **South Campus Project (Alvernia College)**, four new residence halls, an athletic field, and building additions proposed for that parcel known as xxx Greenway Terrace. [0:28.29]

Scott Miller recalled the sketch presentation at the March 11 meeting. He explained the site’s orientation and existing improvements, and the planned additions, including building additions, off-street parking, a synthetic-turf athletic field and track, and four new residence halls. Those dormitories have been staggered for the better views of the surrounding landscape. He said the College intends to keep the vehicle circulation on the campus’ perimeter, while reserving its center for pedestrian activity. He cited the challenges of the sloping topography and the architectural solutions. Displaying colored renderings, he briefly explained the materials. A poll of the student

body and faculty indicated a desire for something “a little more modern”. Mr. Smith said the façades would be partly brick, with sections of resin and applied wood laminate, a material offering better defense against the effects of ultra-violet radiation. Andrew Miller complimented the existing dormitories for their slight variations in texture and masonry, while maintaining an overall identity. Mr. Smith said the College hoped for the harmony, while creating an apartment village-like identity. He said the colors will reflect the nearby buildings, though they have difficulty rendering them accurately on the presentation materials. Mr. Palka asked if they intended to build it all simultaneously. Mr. Smith said not, expecting the first two buildings to begin in October, with a goal of their occupancy in August 2009. Mr. Palka complimented the architecture of the existing campus, especially its physical education center. Mr. Smith said the College hoped to create a park-like setting, and with larger-caliper trees, which he hoped would grow to soften the visual effect of the proposed parking lot. Mr. Bealer asked about the planned driveway from Saint Bernardine Street, shown on the master plan. Mr. Smith said it’s still being considered, but not as a part of the current development. He indicated that most traffic continues to arrive from the Greenway Terrace and Wesleyan Drive entrances. He said card access will restrict parking in the proposed lower-level parking lot. Asked about the extent of the shuttle bus service, Mr. Smith said the whole campus and the satellite parking at the Ken-Grill Recreation Center. Mr. Raffaelli asked about the type of construction. Mr. Smith called it a combination of masonry and stick-built. He sought a balance between the need for durability and the aesthetics and residential feel. He had only limited answers, the architect unable to attend the meeting. Mr. Bealer asked how the plan allows for the Berks County Conservancy’s extension of the Angelica Creek Trail. Mr. Smith indicated his support of that initiative, and its planned location coincident with the existing utility easement and fire road. He said the development and its new detention basins will cure the long-standing runoff problems from the Bernardine Franciscan Sisters’ property, with drainage easements established. Andrew Miller verified the extensive stormwater planning. Asked about the capacity of the dormitories, Mr. Smith estimated between 72 and 88 in each, with minor differences due to topography. He said they’d be available to the upperclassmen, with about two-thirds of that capacity in private rooms, an emerging trend in higher education. Explaining the other additions, Mr. Smith said an auxiliary gym and fitness center were necessary to better serve the personal needs of the student body, now restricted by the formal programming. He said significant investments are planned to improve handicapped accessibility to this steeply-sloping area of the campus.

Andrew Miller noted plan revisions to be made, and comments still needed from the County Planning Commission, and advised tabling the plan. He complimented the College for its deliberate planning; the foresight of a master plan, the communication and opportunities taken to involve City staff, the sketch plan offered in March, and the consideration of the greater community in allowing for the trail development. He asked if the architect would attend a future meeting. Mr. Smith promised answers to the Commission’s questions, either way, though the architect comes from Minnesota.<sup>1</sup> Andrew Miller asked if the light standards would match those previously used on campus. Mr. Smith said they were seeking a campus-wide consistency, and referred to those used on their last two developments. Mr. Palka asked about the current resident population. Mr. Smith answered 630 for the coming fall term, with capacity for at least 780 at build-out. He reminded that the proposal is motivated more by their preference for a higher percentage of on-campus residents, than for increasing the total enrollment.

Mr. Reppert moved to table the preliminary plan, pending the required revisions and receipt of the County Planning Commission review. Mr. Palka seconded. And the Commission voted unanimously to table Alvernia’s South Campus Project preliminary plan.

Review the **preliminary** land development plan for the **Department of Fire and Rescue Services – Southwest Station**, a new fire house proposed at that parcel known as 101 Lancaster Avenue. [0:52.24]

Scott Miller introduced his team, and recalled the previous presentations to the Commission. He thought most of their concerns since addressed, and reported the conditional use and necessary zoning variances since granted. He characterized the rest as “clean-up items”, including an anticipated Highway Occupancy Permit from the Pennsylvania Department of Transportation for the entrance on Lancaster Avenue and signal modifications at the intersections with Morgantown Road and the West Shore By-pass. He noted the Planning Office’s request for additional detail on the planned signage and lighting. Mr. Mangold used renderings to explain building

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<sup>1</sup> In a July 9th email, Doug Smith elaborated: “...apartment buildings will be built on concrete slabs, one with a masonry basement. Stairs will be concrete filled metal pan and the stair towers will be masonry block. The upper floors will be built over heavy wood trusses topped with plywood and gypsum. Brick color will be consistent with existing campus buildings and is difficult to show graphically. The non brick portion of the exterior will be high density thermosetting phenolic resin bonded cellulose fiber core panels faced with wood or wood laminate.”

identification signage (monument and wall), and offered lighting details for the fixtures proposed. Andrew Miller asked that those details be incorporated within the plan, to which Mr. Mangold agreed. Andrew Miller asked that the traffic and signalization plans be likewise detailed within the set. Scott Miller offered to make the effort, based on the detail provided with the occupancy permit. Mr. Mangold offered to have Traffic Planning and Design, Inc., the traffic engineer, develop something. Turning to the Department of Public Works comments, Scott Miller noted that the handicapped-transition ramps would be provided where necessary at the corners, but noted the sidewalks are flush with the Station's driveway aprons. Mr. Raffaelli asked if there would be any monument to the Oakbrook and Liberty companies being consolidated. Chief Rehr thought historical acknowledgements could be placed within the building, but planned no external indications. Mr. Palka asked what apparatus would be kept. Chief Rehr said two active pieces, and the Department's hazardous materials and brush fire trucks. He assured the Station would not include any social club, nor external sirens.

Mr. Lauter moved to grant the preliminary and final approvals to the Southwest Station plan, subject to the design team's continued cooperation in addressing the remaining items cited in the Planning Office's July review memorandum, including a presentation of the traffic controls once approved by State Department of Transportation and the City Department of Public Works. Mr. Reppert seconded. And the Commission voted unanimously to approve the Southwest Station preliminary plan, as a final plan.

**Resolution #50-2008**

**Other business:** (continued)

minutes-June 10, 2008 Planning Commission meeting [1:06.43]

Mr. Bealer moved to approve the June 10th minutes, as presented. Mr. Palka seconded. And the Commission voted unanimously to approve the June 10, 2008 meeting minutes.

**Resolution #51-2008**

§513.a approval reaffirmation-Goggleworks Apartments - final land development plan [1:07.50]

Scott Miller offered the signed and sealed plan sets, which he guessed had been reaffirmed three months earlier. He believed the financing issues since resolved, and expected the development to commence within the next 60 days. Andrew Miller said he hadn't expected the plans, and would need time to review them. He asked that any motion clearly require compliance with the latest Planning Office review.

Mr. Bealer moved to grant reaffirmation, consistent with §513.a of the Pennsylvania Municipalities Planning Code, of the Commission's approvals of September 26, 2006 (resolution #39-2006) and February 20, 2008 (resolution #15-2008), conditioned on the current plan meeting all those requirements set forth in the latest Planning Office review. Mr. Palka seconded. And the Commission voted unanimously to reaffirm the Goggleworks Apartments final plan.

**Resolution #52-2008**

Mr. Miller reported that the Reading Housing Authority intends to develop a ten-stall parking lot on its parcels at 113 and 121 Mulberry Street. He said it falls under the Commission's threshold for review, and appears to comply with the Zoning Ordinance. A diagram was included with the materials mailed to the Commission ahead of the meeting. Mr. Palka noted the location behind the Hubert Apartments, 125 North 10th Street, and recalled the 'continuous pour' concrete construction. Mr. Miller said he covered it for the Commission's information.

Mr. Miller reported on the planned expansion of the rock salt pile in the 1600 block of North 6th Street (within the Spring Street Yard). He said he conferred with the Department of Environmental Protection, the Berks County Conservation District, the Department of Public Works, Norfolk Southern Corporation, and the American Rock Salt Company. He said he was satisfied with the results, and only zoning approval was yet required.

Review the **draft ordinance** for the **Riverfront Redevelopment Overlay District**, a "planned residential development" designed in accord with articles VII and VII-A of the Pennsylvania Municipalities Planning Code [1:21.50]

With the latest drafts and maps in the hands of the members, Mr. Schmehl introduced himself, and described an amendment which would make possible the type of riverfront development currently being contemplated for south Reading. He asked if the overlay boundary should be extended to include the full area envisioned, or be applied in phases. Mr. Miller said that decision hadn't yet been made, deferring to City Council.

He called it an optional zoning scenario, available if a developer assembles a certain “critical mass” of land. Mr. Schmehl concurred, calling it an “overlay district”, in no way limiting the rights of the current property owners or their current operations. He recognized the goal of a mixed-use residential/commercial/entertainment development. He said responsibility for administration of the “PRD” rests with the Planning Commission, characterizing it as a more-efficient review process. He called attention to the use schedule proposed, with heavier industrial uses omitted. He admitted the maximum possible density at 75 units/acre was high, but supportable, given the amenities and structured parking planned. He noted the maximum building height set at 140 feet, or 200 feet, if situate at least 200 horizontal feet from an existing residential area. He said the regulations would: require a continuous public access along the riverfront, give the Planning Commission control over architectural standards, establish a means to verify the solvency of individual project phases, require traffic-impact analyses, establish a standard for the granting of modifications, and require a certain measure of recreation/open space. He said the sign standards for the existing Commercial Core (CC) district would apply, with certain exceptions.

Mr. Lauter wondered what might come from permitting “shopping centers”, and how the regulations might prevent the standard ‘strip’. Mr. Schmehl said may zoning ordinances so classify anything with multiple commercial uses. Mr. Miller suggested the “manual of... guidelines” as the tool to guide the design. Mr. Schmehl called it the developer’s responsibility to propose a design, and the City’s prerogative to either accept it or not. Mr. Lauter asked if the “residential conversion” language precluded intensifying single-family dwellings. Mr. Schmehl answered that no residential structures pre-exist in the proposed district. Mr. Miller said the language (“increased number of dwelling units”) implied residential building conversions. Mr. Schmehl intended to clarify it. Mr. Bealer suggested an update to the sign regulations to account for the newer technology in signage. He mentioned the model regulations in the International Code Council’s model zoning ordinance. Mr. Schmehl figured the signage regulations would be considered with the comprehensive zoning rewrite. Mr. Miller questioned the application of the Commercial Core signage standards. Mr. Schmehl felt the district the City’s most “urban and mixed use”. Mr. Miller raised an aesthetic concern with “surface” parking areas, but recognized additional restrictions within the “site and building layouts” section. Mr. Schmehl suggested restricting it as an accessory use, but allowing it for such uses as a grocery store or a sports facility that may depend on some capacity in surface parking. He suggested restricting it by percentage of a tract’s total. Mr. Miller encouraged that, especially as allowed impervious cover is not specifically defined. Mr. Schmehl pointed to the required 10% landscaped/recreation area as a de facto limit. Mr. Lauter wondered if sufficient parking would continue to be accessible to the public looking to access the waterfront. He stopped short of assigning that responsibility to the developer. Mr. Schmehl thought it would have to be available, but not necessarily provided for free. Mr. Lauter wondered who would actually own the streets. Mr. Schmehl called it a case-by-case basis, up to City Council whether or not to accept dedications. Asked about the required commercial street, Mr. Schmehl explained it intends a façade of street-level commercial frontage. Mr. Miller noted the current Land Development Ordinance requiring pedestrian accesses through blocks of 1000 feet or more, considering it the way to promote public access to the waterfront. Mr. Bealer questioned the broad possibilities of “accessory uses”. Mr. Schmehl called it impossible to anticipate every possible “accessory use”, and noted that “incidental” is generally interpreted in favor of those things commonly observed throughout the country. Mr. Miller asked if it is necessary to specifically exempt “gambling machines” from the “amusement machines” category, thinking local zoning codes preempted in such matters. Mr. Schmehl said the State had previously considered allowing slot machines in smaller hotels and, while originally drafted to override local zoning, the final legislation did not. He felt it best clarified, lest vague language be someday used against the municipality. Mr. Miller asked about “home occupations” vis-à-vis homeowner association restrictions. Mr. Schmehl offered to add a statement, but resisted, as the City doesn’t enforce such covenants. Asked about the mention of late-night traffic in the part dealing with traffic studies, Mr. Schmehl felt it necessary to protect the residential areas during normal sleeping hours. Mr. Lauter noted previous moves to divert industrial traffic toward non-peak hours in an attempt to lessen the impact on the US422/Bingaman Street/Lancaster Avenue interchange. Mr. Schmehl understood the trade-off, between the condition of that interchange and the success of the proposed Riverfront redevelopment. He offered to add a requirement to address peak-hour congestion. Mr. Miller hoped the City wouldn’t be held back indefinitely by a regional transportation dilemma identified decades earlier, but never addressed. Mr. Lauter noted the competing interests for what has until now been identified as “the industrial collector”. Mr. Palka suggested that new transportation fuels and technology might lessen the nuisance impacts of truck traffic. Mr. Lauter asked about the State’s role in the review of a planned residential development ordinance, and potential challenges to its validity. Mr. Schmehl said they took no role, but thought, as a zoning “option”, the overlay district was more defensible, than if made mandatory. He said the Planning Code specifically allows “traditional neighborhood development” for these types of purposes, and that the developer has the added burden of proving that each phase developed functions

on its own. Mr. Lauter asked about the overlay's effect on inadequacies identified in the underlying zoning. Mr. Schmehl recalled a discussion with the staff about the near equivalence between the Manufacturing-Commercial (MC) and Heavy Manufacturing (HM) use schedules. He suggested the City may want to consider prohibiting the more-intense, and currently allowed, industrial uses, those that could disrupt the Riverfront vision. Ms. Mayfield asked about statements limiting the time to challenge the ordinance following enactment, in light of *Glen-Gery Corp. v. Zoning Hearing Board of Dover Township*, where the Supreme Court of Pennsylvania invalidated an entire zoning ordinance on the basis of its adoption procedure, more than five years after its enactment. Mr. Schmehl admitted such time limits on appeals aren't enforceable where it has been decided an ordinance wasn't properly adopted. He offered to delete references to it, noting that the State legislature continues to seek a fix acceptable to the courts. Mr. Miller asked about the minimum ten acres in "contiguous" ownership. Mr. Schmehl said he had since clarified the language to allow for partitions by streets and railroads. Mr. Miller suggested the maximum building heights should be graduated, based on a building's distance from the River. He asked if it was possible to breakdown the required recreation components as a ratio between 'active' and 'passive', to ensure a mix. Mr. Schmehl cautioned that you cannot require construction of recreational facilities, and that defining the two is difficult anyway. Mr. Miller questioned statements making recreational facilities available to "all residents of a tract", in case a courtyard or rooftop garden is incorporated within a building. Mr. Schmehl agreed to clarify the language. Mr. Miller wondered how a required "focal point" would be designed within the linear nature of the master plan. Mr. Schmehl said that, while the term often evokes the New England town common image, it could be as simple as a green space plaza between buildings, or something at the water's edge. Ms. Mayfield asked that references to the "City Solicitor" allow for 'his designee'. Mr. Schmehl offered to replace it with "Department of Law". Mr. Miller wondered if defining required ratios between the allowed uses was necessary to effect the desired mix, the recreation areas notwithstanding. Mr. Schmehl recalled another instance where a developer claimed the need for flexibility in changing market conditions.

Mr. Miller asked if there was a way to move the ordinance toward the adoption process with Council. Mr. Schmehl indicated the remaining revisions would be provided by July 17th, which would then require the reviews of the county planning agency, the municipal planning agency, public notification and public hearing. He said the county planning agency must review the final version, but suggested getting their preliminary thoughts, as well as those of City Council and the Mayor. He admitted the adoption requirements discourage revisions, even those that make sense, because of further delay.

Following some additional discussion of adoption procedures and district boundaries, Mr. Lauter moved to forward the present draft of the Riverfront Redevelopment Overlay District ordinance to City Council, with requests for its introduction at their July 14th meeting, and to initiate all those other Planning Code-required requisites for adoption. Additional "editorial/technical revisions" were expected from Mr. Schmehl by July 17th. Mr. Palka seconded. And the Commission voted unanimously to forward the draft planned residential development ordinance to City Council.

#### Resolution #53-2008

Hearing no further business, Mr. Bealer moved to adjourn the July meeting. Mr. Reppert seconded. And the Commission voted unanimously to adjourn the July 8th meeting. – 9:59 pm.