

**Minutes**  
**Regular meeting of the City of Reading Planning Commission**  
**June 10, 2008 at 7:00 pm**

**Members present:**

Ermete J. Raffaelli, Chairman  
Michael E. Lauter, Secretary  
Wayne Jonas Bealer, Assistant Secretary  
Edmund Palka  
Frederic dep Rothermel, Jr.

**Staff present:**

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

**Others present:**

Vaughn D. Spencer, City Council  
Stephen P. Fuhs, City Council  
Adam Mukerji, Reading Redevelopment Authority  
Eugene Orlando, Jr., Roland & Schlegel, PC  
Gregg A. Bogia, Bogia Engineering, Inc.  
Christopher J. Fell, United Corrstack, LLC  
Charles Feghali, United Corrstack, LLC  
David F. Stauffer, United Corrstack, LLC  
William G. McShane, Willow Holdings, Inc.  
Margaret S. McShane, Willow Holdings, Inc.  
Edward V. Giannasca, II, Giannasca Development Group, LLC  
William J. Vitale, Designworks Architects, PC  
Modesto D. Fiume, Opportunity House (Reading-Berks Emergency Shelter)  
Don Spatz, Reading Eagle Company

Following a ten-minute delay due to the Police Diversity Board's overrun, Chairman Raffaelli called the June 10th meeting to order, asked all presenters to sign the attendance sheet, and asked for acceptance of the agenda. Mr. Miller reported the City's planning consultant, Urban Research & Development Corporation, was unable to attend the meeting due to a prior commitment. He suggested the Commission review the draft "planned residential development" ordinance over the next month, and hoped for a presentation at the July meeting. Mr. Palka moved to accept the modified agenda. Mr. Rothermel seconded. And the Commission voted unanimously to accept the modified June 10th agenda.

Review the **traffic study** known as the **City of Reading Multiple Intersection Traffic Study** prepared by Bogia Engineering Inc. for Greater Berks Development Fund in August 2006 [0:01.54]

Mr. Orlando introduced himself as the attorney representing United Corrstack/CedarPak. He explained that he was surprised to learn, at the Commission's May meeting, that the "Bogia Study" had never been shared with the Commission, prompting him to seek the necessary permission. He understood the report to have since been distributed to the members via the Planning Office. He invited Mr. Bogia to explain the relevant sections of the report, which he recognized to be far-more comprehensive than United Corrstack's project.

Mr. Bogia recalled his consideration of the various intersections in the Bingaman Street area, as requested by the City Engineer. He said the report included known information about current trip generation, and projections anticipated from future industrial development, including United Corrstack's projects. He felt the report still relevant, two years later, with the exception of the "RiverView at Reading" proposal. He said recommendations stemming from the report were limited to "radial" improvements at the South 5th and Laurel Streets intersection and "snow-plowable markers". Mr. Orlando asked if the daily volume projected accounted for the total United Corrstack usage. Mr. Bogia answered yes; 346 additional trips assumed. Asked to put it in context with other local traffic, Mr. Bogia estimated 10,000 daily trips traveling the Bingaman Street Bridge to Laurel Street, and assumed a 5% truck share. He said the study didn't indicate any negative impact, and felt the "industrial collector" capable of handling far more than current traffic volumes. Mr. Bealer checked that the 5% were assumed to be turning right from Laurel toward the "industrial collector". Mr. Bogia said there were no reasons, at the time, to look elsewhere.

Mr. Raffaelli noted the comprehensive breadth of the study, but suggested there were several businesses omitted from the model, but contributing to the impact, including Berks Packing Company, L.E.G., Simplicity, the latter two's traffic continuing on Laurel Street to South 9th. He recognized the impact on the US422/Bingaman Street/Lancaster Avenue interchange, and the stacking distances in the passing lanes of the West Shore Bypass, on a curve. He named industrial users contributing, including: Reading Truck Body, Baldwin Hardware, KVP/Habasit, Brentwood Industries, Quaker Maid Meats, Ammeraal Beltech Manufacturing/Uni-Chains, and the traffic associated with the Fritz Island Wastewater Treatment Plant. He questioned the assessment's limit to peak hours, whereas United Corrstack's fuel deliveries are planned between the hours of 6:00p and 6:00a. Mr. Bogia called the time-of-day focus typical of any traffic impact study, and said the City officials involved were satisfied with the methodology. He felt it impractical to survey every user of the interchange, preferring a background growth rate to model the future use. Mr. Lauter questioned the 650 crashes counted in the three-year period. Mr. Bogia defined reportable crashes as those resulting in personal injury or vehicular tow, and compiled that data from Department of Transportation and City Police Department records. Mr. Raffaelli asked if the fuel was still to be supplied from a single source and location, or whether others were contending for the business. Mr. Bogia deferred to United Corrstack officials for the answer. Mr. Orlando empathized with the Commission's predicament in accounting for future needs, calling it a dilemma for all planners, but referred to the limits of their authority under the Pennsylvania Municipalities Planning Code. He said a landowner's plan must be evaluated under the ordinances and circumstances existing at the time of submission, and are entitled to approval thereunder. He said United Corrstack wants to do everything it can to work with their potential neighbors, while cautioning the Commission on issues of private property rights. He agreed with the consensus opinion of the Lancaster Avenue interchange, but reminded that the City had no impact fee ordinance. He said they were willing to continue the dialog, but couldn't be forced to remedy off-site problems.

Mr. Orlando continued with a brief update of the progress made in resolving the issues identified in the Planning Office's review. He said Cumru Township had waived its rights to a land development review, and alluded to a settlement with Norfolk Southern Corporation which would transfer ownership of the railroad land bisecting the site. He called those items the proper context for the Commission's review, and thanked Greater Berks Development Fund for indulging the Commission's consideration of their traffic study. He reminded that the "industrial collector" was the route established for their traffic. He said if City Council ever elected to alter that route, they'd cooperate to the extent that it allows them to continue their operations. Mr. Raffaelli resented the implied legal threat, and what he characterized as an impudent expansion of a traffic-intensive business. He said the City "can't be everything to everyone... no matter what the law says", and wondered why they bothered making such a presentation, if they felt so strongly it was none of the Commission's concern. Mr. Orlando disagreed with the characterization. Mr. Raffaelli acknowledged the reference to impact fees, calling it "unconscionable" that the City hadn't addressed the matter in the time since the need was last identified. He thought that, only when the Evergreen Community Power plant comes on-line, will people realize its true impact. He called the existing infrastructure inadequate for the projected use. Mr. Orlando opined that the burden should not be borne by a single property owner. Mr. Raffaelli recalled the Mayor's assurances that the Commission wouldn't be forced without a resolution of the traffic issues, and felt he couldn't proceed in good conscience. Mr. Palka supported that sentiment. Mr. Lauter agreed, but felt the expectation to the "industrial collector" to prevail. He said his bigger concern was the interchange itself; a major problem which United Corrstack's traffic would suffer with everyone else's. He expected the economics would, at some point, demand alternative transportation routes, if not alternative modes. Mr. Rothermel repeated his recommendation that the regional transportation planners seriously consider the interchange, before adding to its load. But he recognized United Corrstack's reliance on the "industrial collector" when planning the growth of their business. He too found it troubling that nothing had come of the lessons learned from the Berkshire Bottling Works situation in 2005, but offered his continued support of truck access to the "industrial collector", as arranged.

Mr. Orlando expected to return for the July meeting with a plan the Commission could support.

#### **Other business:**

§303.a.1 recommendation-Opportunity House's petition to vacate Lafayette Street, between Pear and North 2nd, and North 2nd and Pear Streets, between Beech and Lafayette [0:57.02]

Mr. Miller called it a follow-up from his May presentation, and deferred to Opportunity House for a more-detailed explanation.

Mr. Fiume distributed the agency's brochure, which explained its mission and capital campaign. He said

they began as the Reading-Berks Emergency Shelter in 1984, and have been located on North 2nd Street since 1987. He said they've evolved to offer an array of services to Reading's homeless and low-income population, including a childcare and learning center operating since 1996, currently with 290 children enrolled, open 24 hours/day, 7 days/week, with transportation. He hoped to expand it, and create a campus-like environment. He explained a 5-year effort, in partnership with the City and Berks County redevelopment authorities through the Acquisition, Demolition, Disposition (ADD) Program, to clear the decaying 400 block of Pear Street and turn-over the empty parcels to Opportunity House. He said they currently own about 40-45 lots on Pear, and the Opportunity House Community Garden. He felt the street vacation necessary to accommodate their expansion.

Mr. Raffaelli acknowledged the schematic plan distributed by the Planning Office. Mr. Vitale explained its orientation to the shelter's existing buildings, including the more-recent additions from 2005. He noted that almost everything had been acquired and demolished, and the exceptions with which they are still negotiating. He presented optional concept plans that would work around the existing conditions, but preferred the street vacation scenario for the flexibility in building design and improvements in vehicular circulation. He estimated the building area at over 10,000 square feet, personally favoring a two-story lay-out. He noted a concern previously expressed for traffic flow from North 2nd Street if cutting off Lafayette, figuring on a cul-de-sac design to facilitate turn-arounds. Mr. Fiume noted the one-way northbound travel on Pear Street already results in that traffic using Opportunity House's driveway for turn-arounds, though not much traffic is noticed.

Mr. Miller asked about progress on acquiring the remaining parcels. Mr. Fiume noted the added challenge of communicating with their out-of-town owners. He said the lots were purchased at tax sales. He referred to phone calls made and letters sent, even from the Mayor. Mr. Vitale recognized the concern for emergency vehicle access around the building, another item to be considered at the charrette.

Mr. Bealer offered his support, if the remaining properties were acquired. He noted the resistance of the owner at 427 Pear Street to sell. Mr. Fiume agreed, but noted that he uses an entrance facing Beech Street. Mr. Vitale said the owner's daughter doesn't have any long-term plans for the property, and wondered if a partial vacation was possible, in the meantime. Mr. Bealer saw no reason to change the travel direction of Pear, suggesting they widen a drop-off area. Mr. Fiume clarified that the concern is the street crossing if students are dropped on the south side of Beech.

Asked about utilities existing beneath Pear Street, Mr. Jones suspected some, intending to investigate their possible abandonment or, alternately, the need for reinforcement and access easements. Mr. Rothermel explained that the construction of Lafayette Street was among the first Community Development Block Grant-funded projects, motivated by the Pear and North 2nd Street dead-ends at the railroad. He recalled how the circulation problems had contributed to the neighborhood's deterioration.

Mr. Vitale announced the design charrette, scheduled the week of June 23rd. He sensed the Commission's support, once Opportunity House controlled the remaining properties. Mr. Miller included traffic circulation and protection of underground utilities as other concerns to be addressed. Mr. Bealer thought it safer to have the new building placed as close to the existing, as possible. Mr. Fiume concurred, estimating an additional 150 children to be served, for a total of nearly 450, and a possible arrangement with the Reading School District for pre-school programming. Mr. Rothermel, noting their ownership of the Community Garden, suggested they explore more curvilinear street alignments in order to aggregate more land area. Mr. Fiume suspected there might be restrictions on Community Garden, an initiative of the Berks County Conservancy, but liked the idea. Mr. Vitale intended to meet with City Council's Public Works Committee on June 16th, and expected a vote at their general session on the 23rd. Mr. Miller noted that Council hadn't yet formally requested the Commission's comment, but recognized the ordinance violations which would result in removing a parcel's access to public street frontage, in addition to the practical considerations. Mr. Bealer felt the Commission's May recommendation still relevant.

Mr. Fiume said invitations to the charrette would be mailed. Asked about the current level of staffing, Mr. Fiume counted 95 paid employees and about 200 volunteers.

#### §513.a approval reaffirmation-McDonald's Restaurant No. 37-0036 - final land development plan [1:27.10]

Mr. Miller requested a Commission action reaffirming its April approval [*sic, actually February 20th*]. He reported the conditions of that approval finally met, but after the expiration of the 90-day limit imposed by the Pennsylvania Municipalities Planning Code.

Mr. Bealer moved to grant the reaffirmation. Mr. Palka seconded. And the Commission voted unanimously to reaffirm the McDonald's Restaurant final plan.

Resolution #41-2008

§603.c.2 conditional use review-Department of Fire and Rescue Services – Southwest Station [1:27.58]

Mr. Miller explained that the Planning Commission has an opportunity to comment on the City's conditional use application for a new firehouse at 101 Lancaster Avenue. He thought it little more than a formality, given the Commission previous reviews of the land development plan.

Mr. Bealer moved to encourage City Council's approval, on the condition the plan conform to all relevant land-use ordinances, as identified in the Planning Office reviews, and with the assurance from the Reading Area Transportation Study that nothing in its long-range planning for the US422/Lancaster Avenue interchange would adversely affect the placement of the firehouse. Mr. Lauter seconded. And the Commission voted unanimously to forward the recommendation, as stated.

**Resolution #42-2008**

§609.c review-re-zoning the Residential Outlet (RO) district to Commercial Neighborhood (CN) [1:30.50]

Mr. Rothermel asked if he was accurate in assuming that the current owners of the former Reading Outlet Center buildings were seeking more latitude in attracting potential tenants, and were less-concerned with extending those entitlements to the entire district. Mr. Miller affirmed. He said the RO and CN districts alike incorporate the Residential 3 (R3) standards, by reference, while the CN includes a broader schedule of commercial uses. He paraphrased the Zoning Ordinance definition of each: the CN as a mixed-use zone focused on a local, pedestrian-oriented customer base, and the RO as an attempt to provide for what had been a destination outlet center, while minimizing impacts to the residential surrounds. Mr. Rothermel recalled its origin at the request of the former outlet-building owners, originally limited to the big buildings, but extended by those then in the administration who felt it should better connect with the Reading Station Outlets to the west. He personally preferred a more-restricted zone, in-keeping with the intent defined. He expressed concern that the wider commercial zoning would cause more small retail operations of the type the City has tried to limit. Mr. Miller lamented the difficulty of reducing the Commission's position and concerns to a briefly-stated recommendation. He wondered if it would be more-appropriate to forward the meeting minutes. Ms. Mayfield suggested referencing them within the recommendation. Mr. Bealer thought redrawing the boundaries too difficult, especially considering all those small commercial uses already existing to be classified as "non-conforming uses" if zoned R3. Mr. Rothermel thought a reference to the meeting minutes less meaningful than a formal statement, and wondered if recommending a competing amendment was a better strategy. He inquired about the prevailing off-street parking standards, and the effect it had on the rezoning. Mr. Miller insisted the map change would affect those requirements, either way. He expected that most of those existing small commercial uses were approved by variances, from minimum lot sizes and off-street parking, at least.

Mr. Rothermel moved to recommend that City Council deny the rezoning of the entire Residential Outlet district, in favor of a new ordinance limiting that rezoning to those genuine former outlet buildings. Mr. Lauter seconded. And the Commission voted unanimously to forward the recommendation, as stated.

**Resolution #43-2008**

§609.c review-re-zoning 600 and 615 Kenhorst Boulevard from the Residential 3 (R3) classification to Residential 2 (R2) [1:46.34]

Mr. Miller reported that the current bill has been revised to limit the rezoning to the parcels occupied by the Pennsylvania State Police and the Marine Corps Reserve, in an effort to further limit non-residential uses. Mr. Bealer noted the existing R2 zoning abutting, but cautioned against another nonconforming use side-effect. Mr. Rothermel questioned the motive. Mr. Bealer said the property at the center of the recent controversy is subject to a long federal decommissioning process, and that simply changing the zoning classification may not be the last word.

Mr. Bealer moved to recommend that City Council reject the proposed Kenhorst Boulevard re-zoning without further explanation of the motive or the perceived need. Mr. Palka seconded. And the Commission voted unanimously to forward the recommendation, as stated.

**Resolution #44-2008**

A representative appointment to the "Vending License Board" was briefly discussed. Ms. Mayfield wasn't aware of the matter. Mr. Bealer was, having discussed it in-person with the Codes Manager. He indicated his willingness to serve, if necessary.

Mr. Miller offered an update on the downtown street lighting programs ("entertainment square" and the 200 through 800 blocks of Penn Street) presented at the May 13th meeting. He said Spring City Electrical Manufacturing

Company keeps good records, and has Reading's standards on-file. He expected they'd be able to accurately match the poles on a block-by-block basis. Mr. Jones confirmed that they'd also be able to increase the illumination power, as desired, though still waiting on some load calculations from Metropolitan Edison Company. He said the funding realities will delay the Penn Street installations for the time being, but that the area around North 2nd and Washington Streets would move ahead, in-time for the R/C Theatre opening August 16th. Mr. Miller said that Albert Boscov understood the Planning Commission's concerns for the historic style of Penn Street. He said they decided together it best to let "entertainment square" develop its own identity, while preserving the classic standard on Penn Street.

Ms. Mayfield reported that the Zoning Hearing Board granted the Commission standing in its appeal of the signage at 100 North 3rd Street (Appeal No. 2008-06). She said G. L. Public Services would return for the Hearing Board's June 11th session seeking the necessary variance to keep it, to which she intended to attach her original brief stating the Commission's position. Mr. Bealer noted that G. L. offered nothing to demonstrate a "hardship".

Mr. Bealer moved to authorize and direct the Commission's legal counsel to request the Zoning Hearing Board's consideration of those portions of the brief emphasizing the variance-granting standards. Mr. Lauter seconded. And the Commission voted unanimously to authorize the communication.

**Resolution #45-2008**

election of Commission officers-2008 annual term [2:04.17]

Mr. Palka, having discussed it with the individual members, reported the acceptance of the current office-holders to continue in their respective capacities for another term.

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

Mr. Rothermel moved to close the nominations and elect the slate, as nominated. Mr. Bealer seconded. And the Commission voted unanimously to elect the incumbent officers to another annual term.

**Resolution #46-2008**

minutes-May 13, 2008 Planning Commission meeting [2:06.17]

Mr. Lauter moved to approve the May 13th minutes. Mr. Palka seconded. And the Commission voted unanimously to approve the May 13, 2008 meeting minutes.

**Resolution #47-2008**

Mr. Bealer, fresh from meetings with Harrisburg's and Allentown's blighted property review committees, suggested lobbying the Community Development Department to redirect between \$300,000 and 500,000 per year as part of the next Community Development Block Grant (CDBG) 5-Year Consolidated Plan. He attributed the successes experienced in Harrisburg and Allentown, where large inventories of blighted properties have steadily declined, to the fiscal support of those cities' community development entitlements. He noted that the original funding earmarked for the Reading's Committee had since been withdrawn, due to the overall budget situation. Mr. Raffaelli wondered how those cities maintain the properties they acquire. Mr. Bealer answered that Harrisburg contracts for maintenance services, where its department of public works can't keep up, and in Allentown it's all contracted. Mr. Rothermel asked from what programs that money would be diverted. Mr. Bealer, uncertain of the allocations of the roughly \$2.8 million total entitlement, noted that the commitment can reduce emergency demolition expenses, later on. Mr. Miller, also in attendance for the Allentown meeting, was impressed with the efficiency and formality of the process which, in many cases, seemed enough to motivate the property owners to work. Mr. Bealer said Reading's Committee is still refining its procedures, and hoped to have it finalized by the start of next year. Mr. Rothermel asked about staffing needs. Mr. Bealer said that, because of differences in mission between Reading's Redevelopment Authority and theirs, Reading would have to assign whatever staff it deemed appropriate. Like Reading, he said Harrisburg and Allentown tend to split vacant properties between neighboring owners, or construct off-street parking where needed. He likened their processes to a "steamroller"; once the process begins, it's seen through to either code-compliance or acquisition. Mr. Miller noted that, the operating differences aside, Allentown is fully-prepared, financially and politically, to use the eminent domain tool, if necessary. He felt their resolve and the formality of their hearings and record-keeping was imperative. He said Reading's Redevelopment Authority is most concerned with the property maintenance burden, as citations from the

City's-own Code Office have previously been issued.

Hearing no further business, Mr. Lauter moved to adjourn the June meeting. Mr. Palka seconded. And the Commission voted unanimously to adjourn the June 10th meeting. – 9:38 pm.