

**Minutes**  
**Regular meeting of the City of Reading Planning Commission**  
**June 22, 2010 at 7:00 pm**

**Members present:**

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

**Staff present:**

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

**Others present:**

Scott T. Miller, Stackhouse Bensinger, Inc.  
Robert A. McConnell, Ewing Cole, Inc.  
Scott M. Hunsicker, Reading Baseball, LP (Reading Phillies)  
Randy J. Dautrich, Dautrich Engineering & Inspection  
Gilbert M. Mancuso, Brumbach, Mancuso & Fegley PC  
Gregg A. Bogia, Bogia Engineering Inc.  
Linda A. Kelleher, College Heights Community Council  
George A. Kline, Jr., College Heights Community Council  
Alexa Antanavage, Masano Bradley LLP  
David A. Kostival, Reading Eagle Company

Chairman Raffaelli called the June 22nd meeting to order, reminded presenters to sign the attendance sheet, and asked for acceptance of the agenda. Mr. Lauter moved to accept the June agenda, as presented. Mr. Bingaman seconded. And the Commission voted unanimously to accept the June 22nd agenda. Mr. Raffaelli noted inconsistencies between the newspaper's account of the May meeting, and that given in the meeting minutes.

**Subdivision and Land Development:**

First Energy Stadium Renovation & Addition (Reading Phillies) - final land development plan [0:02.13]

Scott Miller, reviewing the site plan, said no substantial changes were made to the layout since the May meeting. He mentioned 'refinements' to the plaza treatments and its paving patterns. He reported the erosion and sedimentation controls approved, and copies of those letters forwarded to the Planning Office. He thought the remaining review items focused on plan notes and data, such as zoning regulations and solid waste arrangements, and mentioned a meeting with the Fire Marshal regarding the layout and emergency access.

Turning to the architectural details, Mr. McConnell briefly reviewed the (circa 1950) structure and its 1993 frontispiece and "batting tunnel". He described the planned relocation of the main entrance and its metal canopy structure. He said the elevation of the extended 'food court' façade had been further developed, specifically its masonry combinations and additional windows. Scott Miller said the design team took seriously the Commission's May review, and attempted to better coordinate the masonry and fenestration with the existing structures. He added that they've provided Public Works with documentation related to the storm culvert, and will allow for supervision of construction in its vicinity.

Mr. Bealer asked for the latest on the Centre Avenue driveway, recommended for closure, vis-à-vis Pennsylvania Department of Transportation permitting. Scott Miller said they were still considering it, expecting some temporary barrier would serve until such application was made and approved for an eventual curbed closure. He mentioned the required handicapped-transition upgrades as another factor in that design. Asked about the progress with Muhlenberg Township on the design of the additional parking at 101 Cathedral Street (where Carpenter Technology Corporation purchased the former Northwest Swimming Pool), Scott Miller reported the zoning relief granted, but not until after the City plan submission deadline. He said they'd return with a separate presentation, though budget constraints have reduced the proposal from nearly 300 spaces to 192, with a secondary access to the neighboring Carpenter property at 2100 Centre Avenue. He said the design will comply with the City's zoning standards. He said Muhlenberg waived its rights to a formal land development review, but asked that the design be submitted nonetheless. Andrew Miller asked that he secure something in writing indicating their

satisfaction. Asked if the architectural elevations were representative of the infill proposed for the existing grandstand façade, Mr. McConnell indicated the relocation of its ticket window and a secondary entrance/exit gate. He said the rest would be in-filled with glass, including the new team store space. Mr. Bingaman asked about the construction of the canopy elements, following up on the City Engineer's maintenance concerns from the May meeting. Mr. McConnell answered: not canvas, but steel.

Andrew Miller agreed with the characterization of the remaining review issues, and consented to a conditional approval. Mr. Bealer moved to grant conditional approval to the final plan, provided the corrections made are approved by the planning staff. Mr. Lauter seconded. And the Commission voted unanimously to approve the final land development plan for the First Energy Stadium Renovation & Addition.

Resolution #33-2010

Victor Emmanuel Parking & Banquet Hall Addition - final subdivision / land development plan [0:20.57]

Mr. Raffaelli disclosed a "vested interest in the (Victor Emmanuel) Society" as a beneficial member, and intended to abstain from any voting, with the possible exception of breaking a tie.

Mr. Dautrich displayed a colored plat, differentiating the buildings from the asphalt areas from the green spaces. He indicated the grade of a former rail line (formerly the Schuylkill Branch of the Pennsylvania Railroad), noting its litter and stormwater problems. He said seven currently-separate parcels under the Society's ownership will be annexed together as part of the project. He said new stormwater piping and fill will solve the rail bed situation, and parking areas will be formalized and 'greened'. An additional parking area, and perhaps a gazebo, is planned as a future phase on the south side of the existing restaurant. A banquet hall and take-out facility were also shown, but he expected that to come even later. He said the priority is the rail bed and parking improvements, including a division of the existing curb cut into new driveways of compliant width, with curb and sidewalk between them.

Asked about the treatment of the space reserved for the banquet hall and take-out facility, in the interim, Mr. Dautrich answered "grass". He submitted the erosion and sedimentation control plan to the Conservation District, and earlier that day received their comment letter. He had also met with the Zoning Administrator that afternoon. Mr. Bealer asked if the County Planning comments were received. Andrew Miller said not, and alluded to other limiting issues. He said some questions, regarding the timing and feasibility of the new buildings, would have to be clarified before the plan could be approved as shown. As a user of adjacent Thun Trail, he welcomed what he expected to be an aesthetic improvement, at least. Mr. Bealer recalled the relation to the Schuylkill River Greenway Association's 2005 land conveyance plan. Asked to clarify the immediate improvements from the eventual, Mr. Dautrich reiterated that the clean-up of the rail bed trash and stormwater situation, including about 10 feet of necessary fill, and improvements to the off-street parking, including that shared by agreement with the UGI Corporation, comes first. Commission members expressed concern for the shade trees, both those potentially in the public right-of-way and those in the vicinity of the Trail that may be disturbed. Mr. Dautrich confirmed having reached out to the Shade Tree Administrator. Mr. Bingaman suggested a designated access between the restaurant and the Trail, as an attraction. Mr. Dautrich said that would be at Victor Emmanuel's discretion, but that the grading proposed may alter what is currently a level access. Ms. Mayfield asked if the trash problem was from dumping, and an enforcement issue. Andrew Miller supposed it was a combination of that, and a natural collection point because of the land form. Ms. Mayfield reminded that, without a zoning permit and County Planning comments, the Planning Commission couldn't legally act. Mr. Dautrich acknowledged a discussion with the Planning Office, and his need to clarify intentions with the Society's board. Andrew Miller explained that no utility services were yet shown for the proposed buildings, and would have to be if remaining on the land development plan. Asked if toilet facilities would be included with the pavilions depicted, Mr. Dautrich said not, but in the banquet hall instead. Mr. Jones advised they plan for the sanitary sewage demand, at least, in order to avoid possible complications later. Referring back to the storm sewer layout, Mr. Dautrich explained that a junction box would connect the piping from Hazel Street to that in the rail bed. Mr. Jones said he hadn't yet reviewed the stormwater plan. Mr. Raffaelli asked about the concrete barriers currently separating the parking area from the Trail, which he felt necessary to block vehicles from accessing the Trail. Mr. Dautrich said they'd be removed, the land regraded and covered with erosion matting. He thought some kind of barrier, such as a split-rail fence, could replace it.

Recognizing the outstanding issues, Mr. Lauter moved to table the final land development plan. Mr. Bingaman seconded. And the Commission voted 3 to 0 to table the Victor Emmanuel Parking & Banquet Hall Addition plan, with Mr. Raffaelli abstaining.

Goggleworks Parking Lot - parking lot land development plan [0:41.47]

Mr. Bogia briefly described the 75-space layout, and its orientation in relation to the Goggleworks Art Center and surrounding streets. He said the Goggleworks, Our City-Reading Inc., and possibly the Reading Redevelopment Authority, had previously cleared several houses, and contracted his firm to prepare a parking plan. He said the site currently exists as about 2/3 macadam, the rest in compacted stone. He said the proposal adds green space.

Mr. Bealer thought the Zoning Ordinance required a planting strip on the borders of parking lots. Mr. Bogia, unsure, said he was waiting to see some comments from the Planning Office. Andrew Miller asked if he had made an appointment with the Zoning Administrator. Mr. Bogia said not, and asked if there was a “new process”. Andrew Miller asked about an application to the Conservation District. Mr. Bogia said he usually waits until after submitting the land development plan. Asked if he planned to provide any boundary details, or an annexation plan for the constituent parcels, Mr. Bogia said they had discussed it and, recalling a phone conversation with the Planning Office, agreed to do so. Andrew Miller questioned the submission of the checklist (referring to an attachment to the City’s application). Mr. Bogia said the plan shows the ‘metes and bounds’ description. Andrew Miller disagreed, and said he hadn’t prepared a review because no effort had been made to follow the Subdivision and Land Development Ordinance. He said he didn’t consider the submission valid, as defined by the Ordinance. Without a zoning permit, erosion and sedimentation control plan, and County Planning comments, he advised the Commission to table the plan.

Asked about the ingress/egress provisions, Mr. Bogia answered that would be from Thorn Street. Having confirmed the site’s Residential 3 zoning status, Mr. Bealer noted the need to observe setbacks, and the other design standards of the Zoning Ordinance. Mr. Jones said he hadn’t yet reviewed the stormwater report.

Mr. Bogia wondered if he needed a zoning permit. Andrew Miller noted that between Bogia Engineering, the Goggleworks staff, and even the Recorder of Deeds on their behalf, he had seven phone conversations regarding the project, and what was required. Mr. Jones asked about the existing entrance to the lot from North 3rd Street. Mr. Bogia indicated that it lay to the south, outside the view of the plat.

Mr. Bealer moved to table the parking lot plan. Mr. Bingaman seconded. And the Commission voted unanimously to table the GoggleWorks Parking Lot plan.

§607.b hearing-the proposed zoning ordinance drafted by Urban Research & Development Corporation [0:52.06]

Ms. Mayfield announced that the hearing, required by the Pennsylvania Municipalities Planning Code before enactment of a zoning ordinance, was first scheduled for June 3rd, but owing to the lack of a quorum was rescheduled. She said that Charlie Schmehl (of Urban Research & Development Corporation) attended June 3rd, and is available by phone for this meeting, if necessary. At its conclusion, she said the Commission can make its formal recommendation to City Council. She noted the only presentation June 3rd came from Albright College. Ms. Kelleher introduced herself and Mr. Kline as members of the College Heights Community Council, who have requested the removal of Kelchner Field (1300 College Avenue) from a proposed “institutional overlay” district. She noted a recreational deed restriction attached by the grantors, before its donation to Albright. She reminded that the Planning Commission had previously instructed the College to meet with the Community Council prior to the hearing, but hadn’t done so. She said the most they offered, and only June 18th, was a meeting with the Community Council’s executive committee. She feared the College might one day seek judicial relief from the restrictive covenant. She said the College had earlier shared its ‘master plan’ with the Community Council, who generally favor it, but know that it is not a binding document. She added that neighbors are concerned that large buildings may be placed in an area surrounded by low-density zoning. Ms. Mayfield noted that, if removed, development would continue to require special exception approvals. Andrew Miller asked if the deed restriction was ambiguous in its restricting language. Ms. Kelleher wasn’t sure of its wording. Mr. Lauter noted that even “recreational uses” could be interpreted to allow a natatorium, or other indoor facility. He asked if the Field parcel was the Community Council’s only concern. Ms. Kelleher suggested applying the overlay to the ‘core campus’ only. She offered the written comments from the Community Council’s president. Mr. Lauter explained his own concerns about the proximity to the neighboring homes, and inquired of any additional feedback from the City Council workshop the night before. Ms. Kelleher, then speaking in her capacity as the City’s Clerk, recalled comments on barber shops and nail salons having licensed professionals present *whenever* operating, size requirements for new day cares, and restricting the placement of churches from storefronts and row homes.

Ms. Mayfield offered Ms. Antanavage, representing Alvernia University’s interest in its own overlay, an opportunity to comment. Andrew Miller asked if the Reading Public Museum (1201 Parkside Drive South) had been covered, as previously requested. He wondered if applying a permissive overlay, where the *underlying* zoning is Preservation, is the most appropriate solution.

Ms. Kelleher, offered a letter, addressed to the Planning Commission but delivered to her office, from Lamar Advertising regarding the signage regulations proposed. Ms. Mayfield asked that it be read into the record. Andrew Miller did so, in its entirety. It criticized the proposed changes vis-à-vis “industry standards” on billboard sizing and marketing. Discussion followed on the wording of the draft, and the districts allowing. Andrew Miller advised relying on the author’s judgment, and his broader experience on the issue. Ms. Mayfield advised forwarding him the letter. Ms. Kelleher noted that it wouldn’t impact any existing installations.

Mr. Lauter felt removing the Kelchner Field a reasonable compromise, though he’d personally go further. He recalled the consultant recommending overlays limited to the *academic cores* of the college campuses. Andrew Miller cautioned that classifying uses as “by-right”, while streamlining the process, relies strictly on the Zoning Administrator’s judgment and creates opportunities for error. Mr. Lauter added that it provides neither notification to neighbors, nor an opportunity for them to air concerns or special circumstances before a board’s attention. Andrew Miller noted that when variances are routinely granted, the ordinance’s terms are for naught, expressing a general concern for the expectations of the new ordinance. He said that anything to be enforced on a development proposal must be clearly stipulated within the land use ordinances, and that the issue is whether compliance with those provisions is left to a single administrative employee, or heard by an appellate board. He noted that, historically, many applications have ‘slipped through cracks’ depending on the incumbent of the Zoning Office.

Discussion continued about further reducing the overlay boundaries to the academic centers, or making their setbacks bigger. Ms. Mayfield preferred to forward the draft as shown. Andrew Miller questioned the inclusion of the City-owned Angelica Park with the Alvernia University overlay. Mr. Jones cited planned renovations to the Parks’ “boathouse”, and Alvernia’s use of Saint Bernardine Street as an entrance to the campus. Andrew Miller noted that those features already exist, and the overlay’s allowance of much more. Mr. Jones added that much of Angelica Park lies within a floodplain. Mr. Lauter recalled the concept beginning with talk of more-limited overlay districts, and ending with maps produced by the colleges. Discussion continued, eventually as several separate conversations.

Mr. Bealer moved to recommend City Council adopt the draft zoning ordinance, as presented, but for the removal of Kelchner Field from the proposed Albright institutional overlay district. Mr. Bingaman seconded. And the Commission voted unanimously to for the draft zoning ordinance with the recommendation, as read.

**Resolution #34-2010**

#### **Other business:**

[review the draft May 25, 2010 meeting minutes \[2:06.00\]](#)

Mr. Lauter moved to approve the May meeting minutes, with one grammatical change. Mr. Bealer seconded. And the Commission voted unanimously to accept the May 25th meeting minutes.

**Resolution #35-2010**

Mr. Bealer noted that the demolition of the former Garden State Tanning plant began June 18th (making way for the proposed “Barley Square” development), and is progressing quickly. Andrew Miller noted that the demolition permit had only been issued earlier in the day. He added that the “2nd Street Learning Center” project also appears to be underway, though the plans have yet to be recorded. Ms. Mayfield noted that she had spoken directly to the building inspectors and the applicant about the outstanding issues.

Andrew Miller asked about necessary conditions before granting an address change, from 701 Berkshire Drive to 701 Blue Mountain Boulevard, as requested by the new owners of the stalled bottling plant project. Ms. Mayfield said she hadn’t had any contact with their attorney since a meeting on June 3rd. She said they can proceed with the address, on the condition that they submit revised plans before new construction commences. She said the last amendments to the legal settlement, and her letter detailing those conditions are sufficient.

Ms. Kelleher explained that the City purchased ‘webcasting’ equipment and services from Granicus, Inc. for two meeting rooms. She said it had so far only been installed in Council Chambers, as the administration looks to relocate the Penn Room meeting space. Adding that the City has cut its contribution to Berks Community Television, and no longer enjoys their coverage of board meetings, and that satellite television is gaining market share on Comcast Cable, further limiting access to those local channels, she asked that the Commission move its meetings to Council Chambers until the “Penn Room situation” is clarified. She promised to continue fighting to keep the Penn Room where it is. Ms. Mayfield noted a difficulty in displaying and presenting plans in Council

Chambers. Ms. Kelleher suggested placing them at the Council President's seat, for better camera coverage. Mr. Bealer suggested converting the first-floor Codes office, and keeping the Penn Room. He noted that most visitors enter City Hall from its North 8th Street side. Mr. Bingaman wondered about potential scheduling conflicts in Council Chambers. Ms. Mayfield thought some holidays may be at issue, when City Council meetings are bumped from Mondays to Tuesdays. Ms. Kelleher stated that none but City Council would bump the Planning Commission. Mr. Bingaman was personally indifferent to the meeting location, but protested City spending for anything other than essential operations and services, suggesting a "maintenance mode" until it gets its finances in order. Mr. Lauter stated his preference to remain in the Penn Room, and cited the acoustics in Council Chambers. Ms. Kelleher said new microphones have improved that situation. Mr. Kline agreed the Penn Room was a better space for the attending public. Andrew Miller asked for a vote to relocate and readvertise the remaining meetings. Ms. Mayfield felt a sign on the Penn Room door would suffice. It was agreed to move the meetings, beginning with July's.

On Mr. Bingaman's motion, the Commission voted unanimously to adjourn the June 22nd meeting. - 9:22 pm.