

**Regular meeting of the City of Reading Planning Commission
March 14, 2006 at 7:00 pm**

Members present:

David Reppert, Vice Chairman
Michael Lauter, Secretary
Wayne Jonas Bealer, Assistant Secretary
Irvin Cohen
Frederic dep Rothermel

Staff present:

Andrew Miller, City Planner
Michelle Mayfield, Legal Specialist

Others present:

Michael Hartman, McCarthy Engineering Associates PC
Jim Bates, Advanced Building Systems
Paul Gazzerro Jr., Albright College
Michel B. deTurck, Olsen deTurck Architects
James A. Pilkerton, J. A. Pilkerton Consulting Services
Suzi Ford, 558 Douglass Street Associates LLC
Ray E. Weaver
Mary E. Weaver
Maria Young
Timothy J. Krall, Spotts Stevens & McCoy
Gary S. Fronheiser, Reading Eagle

Minutes:

Vice Chairman Reppert called the March meeting to order, in Chairman Raffaelli's absence. He reviewed the contents of the agenda, minus the scheduled review of the Myrtle A. Valeriano Subdivision, cancelled via a phone call to the Planning Office, earlier the same day. He asked for a motion to accept the agenda. Mr. Lauter motioned to approve the agenda. Mr. Rothermel seconded. And the Commission voted unanimously to approve the March agenda.

Review the revised final land development plan for the Albright College Wellness and Fitness Center, a proposed addition to the Bollman Center at that parcel known as 1800 North Thirteenth Street.

Mr. Hartman, representing the College and Advanced Building Systems, stated that the remaining engineering issues had been resolved. Curbing and storm sewer infrastructure had been added to the parking lot design. And downspout connections will collect stormwater from the roof. He indicated the proposed sidewalks around the new project area. He characterized the remaining issues as "drafting related", asking for the Commission's final plan approval on the condition that the stated issues are resolved with the Planning Office staff prior to the Commission's signed endorsement. He said the improvements agreement would be submitted, as well.

Mr. Miller agreed that the remaining issues pertained to the drafting guidelines, suggesting that the Commission consider a motion that gives him an opportunity to review the corrections, when made. He said the Commission could wait until the April meeting to sign the plan. He asked if any additional detail on the previously-dubbed "tranquility garden" had been planned. Mr. Hartman said not, offering to submit the landscaping plan, when complete.

Mr. Rothermel asked if the parking concern had been resolved. Mr. Miller recalled Mr. Gazzerro's explanation (at the February meeting) of the College's intentions for the former armory property at the southwest corner of North Twelfth and Bern Streets.

Mr. Bealer asked about the dumpsters to be relocated to the College Relations building, across Richmond Street. Mr. Hartman said the recycling dumpsters are being relocated to maximize parking at the Bollman Center lot. He wasn't sure what screening was provided.

Mr. Cohen moved to approve the final plan on the conditions that Mr. Miller finds the additional revisions satisfactory and an improvements agreement is provided. Mr. Lauter seconded. And the Commission voted unanimously to approve the final plan.

Resolution #5-2006

Review the final land development plan for the Prospectus-Berco New Facilities, a proposed addition to their building at that parcel known as 840 William Lane.

Mr. Hartman described Prospectus-Berco's intent to consolidate their operations at one location, from three currently. He recalled the building's former use by the J. C. Ehrlich Company, Inc. (Parcel No. 4 of the Northeast Industrial Park) He briefly described the proposed additions, added parking, and interior renovations. He mentioned that variances had been granted by the Zoning Hearing Board, leaving only drafting-related issues to be resolved.

Mr. Miller stated that other applicable zoning standards may have been missed, noting the lack of a specified proposed use. Mr. Hartman mentioned light manufacturing and administrative offices as the principal use, with warehousing, senior daycare services, and vocational training as accessory thereto. Mr. deTurck briefly described the services Prospectus-Berco provides to the mentally and physically-disabled. Mr. Miller reminded that the Zoning Ordinance classifies uses as "principal" or "accessory" and often applies additional special regulations to certain uses. He said the language used in zoning applications should be consistent with the Ordinance. He added that the Hearing Board did receive a similar presentation, thinking that they were aware of the intended uses of the site when they reached their decision.

Mr. Hartman confirmed that no hazardous materials or other manufacturing nuisances would be involved in the operation. He said that no over-night caretaking would be offered. Mr. deTurck described activities related to simple packaging, for which companies could contract with Prospectus-Berco.

Mr. Rothermel asked if those uses mentioned were permitted in the Manufacturing-Commercial district. Mr. Miller indicated that he would need time to compare it with the Ordinance, noting that his concerns were related to the performance standards governing certain uses. Mr. Rothermel recalled the original intent of the Park to create light-industrial opportunities. He expressed his support for Prospectus-Berco as an organization, but wondered if that intent was being met. Mr. deTurck described the building as having more office space than might be expected in an industrial facility, which was consistent with Prospectus-Berco's needs. He said the currently six loading docks would be reduced to four. Split-faced block would be used on the addition (about 7,000 square feet to an existing 52,000), in an attempt to match the existing building. The majority of the program's participants are expected to use public transportation. A covered receiving area would facilitate easy drop-offs. He said Prospectus-Berco anticipates closing on the building in the next few weeks.

Mr. deTurck stated that the current impervious coverage would be reduced, as landscaping would replace part of the macadam and stone laid by the commercial-truck driving academy previously using the site. Mr. Rothermel noted those previous alterations as zoning violations.

Mr. Bealer asked about the sidewalk on the opposite side of the street. Mr. Rothermel recalled the original design of the Industrial Park, anticipating little pedestrian traffic. He felt Ehrlich had made good use of the landscaped berm to screen their loading area. Mr. deTurck noted the mature red oaks on the street line. He felt the cul-de-sac, being removed from the "urban grid", didn't lead pedestrians anywhere.

Mr. Miller asked about the landscaping provided and the reasons behind the variances requested. Mr. Hartman mentioned the parking layout and underground storm sewer infrastructure as obstacles to additional plantings. He said four trees are proposed for the interior of the lot, others to be provided at the perimeter, creating a buffer for the railroad. Mr. Rothermel suggested a less formal planting arrangement, for less accent on the parking lot.

Mr. Hartman described the re-design of the stormwater system, intended to improve collection.

Mr. Miller suggested a motion, similar to the last, that would give him the opportunity to review the necessary revisions prior to the Commission's endorsement. He added that the County Planners recommended Conservation District approval precede the Commission's final approval. Mr. Rothermel moved to approve the final plan, contingent on the resolution of all outstanding Land Development Ordinance issues, minus the requirements for sidewalk and monumentation. Mr. Bealer seconded. And the Commission voted unanimously to approve the final plan.

Resolution #6-2006

Consideration of 'conflict-of-interest waiver' for Daniel P. Becker, in representing the Joint Municipal Authority of Wyomissing Valley in its business before City boards and commissions.

Mr. Miller explained that Attorney Becker has been retained to represent the Authority in its

expansion/retrofitting plans for the wastewater treatment facility at 601-701 Old Wyomissing Road. Since Mr. Becker had recently represented the Planning Commission in its litigation with Big Spring Inc., he is seeking a formal waiving of any conflicts-of interest, real or perceived, that would prevent him from representing his present client before City bodies.

Mr. Miller said they were also asking to be excused from the land development process altogether, based on their interpretation of definitions in the Land Development Ordinance. He described the planned structures, to include a new tool/maintenance building and a larger housing for the grit dumpster. He described the new technology to be installed, adding that the same is being considered for the upgrades planned at the Fritz Island Wastewater Treatment Plant.

Ms. Mayfield stated that Mr. Becker's request is consistent with the Code of Professional Conduct. She said City Council had already given their consent.

Mr. Rothermel moved to approve the conflict-of-interest waiver. Mr. Lauter seconded. And the Commission voted unanimously to grant the conflict-of-interest waiver.

Resolution #7-2006

Mr. Rothermel suggested the County Planners weigh-in on the request to waive the land development requirements.

Review the sketch land development plan for the Belvedere Townhouses, four single-family attached units (with one existing semi-detached unit) proposed at those parcels known as 101 and 117 Belvedere Avenue.

Mr. Pilkerton described the proposed subdivision, four new attached units and one existing semi-detached, with driveways for each and garages for the new units.

Mr. Bealer described the trace of the former Morgantown Road bed and wondered if any easements guaranteed the access enjoyed by the neighbors. He noted that 340 and 342 Bartlett Street front on this roadbed. Mr. Pilkerton replied that no such easement was found in the title search, adding that the legal access for those properties is via Arlington Street.

Mr. Rothermel asked about the maintenance responsibility for the common access drive. Mr. Pilkerton said a homeowner's association would be established. Mr. Miller noted that the County Planners expressed a similar concern regarding legally-established access.

When asked about landscaping, Mr. Pilkerton recalled his discussion with the Zoning Administrator, where they had agreed on a landscaped "barrier" between the new units and the existing. He stated that sidewalk would be added.

Mary Weaver, of 342 Bartlett Street, expressed concern about the proximity to a utility pole supplying power to her property. Ray Weaver felt the existing alley was too narrow to facilitate the circulation of vehicles from the access drive, without driving on his property. Maria Young agreed, adding that it would present an obstacle to emergency vehicles. Mr. Pilkerton indicated the access drive's other opening to Belvedere Avenue.

Mr. Rothermel wondered if the access drive could stop short of the alley, eliminating the impact to those neighbors. Mr. Pilkerton allowed for the possibility, realizing the alley may need to be opened, either way. Mr. Lauter recognized the potential safety issues and advised an early fire department review.

Mr. Rothermel asked why the access drive couldn't be placed against the property line, increasing the usable back yards for the new units. Mr. Pilkerton stated that the Zoning Administrator preferred a landscaped buffer.

Mr. Rothermel suggested a widening of the alley to provide better maneuverability. Mr. Pilkerton said this would impact on the required sideyard, necessitating a zoning variance. Mr. Lauter felt that, if variances were to be sought, it would be preferable to shift the new units south toward Belvedere Avenue. Mr. Pilkerton mentioned the required sight triangles as another consideration.

Review the sketch land development plan for the Monroe Townhouses, four single-family attached units proposed at that parcel known as 1449 Monroe Street.

Mr. Pilkerton characterized the Monroe Street proposal as nearly identical to the Belvedere Avenue plan, sans the existing dwelling. Mr. Rothermel asked if any thought had been given to fronting the units on Monroe Street versus Lackawanna Street, as shown, and using the existing alley as access to the rear yards versus the proposed access drive. He felt the access drives, proposed for each project, unnecessarily limit usable yards. Mr. Pilkerton allowed for the possibility, noting the consumer preference for paved access to off-street parking. He said unfinished gravel lanes are no longer acceptable.

Subdivision violations...

Mr. Miller described the County Planners' inquiry into two suspected violations of the City's subdivision procedures, otherwise known as the Kim A. Snyder Subdivision and the Norfolk Southern Subdivision. He felt it was a County error and wondered what they expected in response.

Ms. Mayfield cited the Ordinance regulations allowing the City to initiate civil actions, and the potential \$500 penalty for each violation. She felt it would, at least, bring the parties forward.

Mr. Miller briefly explained (with maps) the alterations in the lot lines, disclaiming any knowledge of the reasons for doing so. Ms. Mayfield speculated that new deeds were recorded without any illustrating plats.

Mr. Bealer recalled the land transactions that occurred as the Norfolk Southern Corporation took over the assets of the Consolidated Rail Corporation, having covered the issue as a journalist.

Ms. Mayfield asked that the Commission give its blessing to an investigation of the matter, to include contact with the offending parties, communication with County offices, and legal action, if necessary. Mr. Rothermel suggested searching the Law Department records for information on lease agreements between the railroads and the City. He recalled other agreements protecting pedestrian access to the River Trail across railroad lands in that vicinity. Mr. Miller noted that the County's correspondence indicated an actual division of property, creating new lots, and clearly within the approving jurisdiction of the Planning Commission.

Mr. Bealer moved to authorize the Law Department and Planning Office to investigate the matters, taking legal recourse, if necessary. Mr. Lauter seconded the motion. And the Commission agreed, unanimously.

Resolution #8-2006

Review the preliminary land development plan for Saab of Reading, a replacement of the existing car dealership showroom proposed at those parcels known as 1133-1137 Lancaster Avenue.

Mr. Krall presented on behalf of A. W. Golden, Inc. and Saab of Reading. He described the proposed building as occupying the general position as the existing, albeit a larger footprint, from approximately 2,500 square feet to approximately 5,600 square feet. He noted a showroom, offices, and four service bays at the rear.

Mr. Rothermel asked for building elevations. Mr. Krall, offering to provide more detail with the final plan submission, described a masonry building, with steel siding and a standing-seam metal roof. He alluded to the artificial turf currently in the front yard, to be replaced by grass and possibly other small plantings. He said the site would be re-graded to reduce the slope to about 3%, front to back. Stormwater is still to sheet-flow toward the paved swale in the rear, through a proposed rip-rap outlet structure.

Mr. Miller noted the inconsistency in the boundary described on the plan and that shown by the County's cadastral maps. Mr. Krall agreed, stating he would verify the drawing with the surveyor.

Mr. Miller asked about the use of the building in the northwest corner of the property, spanning the swale. Mr. Krall related the explanation given him by Larry Goodman, the proprietor. Prior to its uses as a Schell's Restaurant, various bank branches and car dealers, the property was owned by the Glen-Gery Corporation. The building is a supposed remnant of its offices. Mr. Krall expected that former use would have reserved more sanitary sewer capacity for the property than the Saab expansion would project. He anticipated about six employees following the renovation, an increase of one or two.

Mr. Miller asked if any stormwater treatment measures were proposed. Mr. Krall mentioned the oil/grease traps within the service bays, but wondered what controls could be installed where no stormwater collection structures were proposed. He offered to look into "sorbent" products available.

Mr. Krall said the off-street parking standard would be itemized and a designated handicapped space marked. He said the project architect would be present for the final plan presentation.

Mr. Bealer moved to approve Saab's preliminary plan, contingent upon the Ordinance-required details, architectural elevations and landscaping plans being provided with the final plan. Mr. Cohen seconded. And the Commission voted unanimously to approve the preliminary plan.

Resolution #9-2006

Review the conditional use application for 440-448 Lancaster Avenue – a bottle club proposed for the existing restaurant (Appeal 2006-19).

Mr. Miller briefly described the location of the restaurant, the "Restauran El Rey Latino", and the process for conditional use applications. He advised the Commission to recommend Council-denial based on the incomplete application and lacking evidence of compliance with the Zoning Ordinance standards of §27-1203.3, the conditions applied to bottle clubs. He said, without a site plan, compliance is difficult to determine. He stated that he was not

present for the initial application, wondering if the term 'bottle club' was correctly applied to the circumstance.

Following some discussion on the Planning Code's time limits, Mr. Bealer moved to recommend that City Council deny the application, based on the aforementioned deficiencies. Mr. Rothermel seconded the motion. And the Commission agreed, unanimously.

Review of the February 14, 2006 meeting minutes

Mr. Rothermel requested a typographical change to a comment taken out of context. Mr. Lauter moved to accept the February meeting minutes, with the change. Mr. Cohen seconded. And the Commission voted unanimously to approve the February minutes.

Resolution #10-2006

Other business

Mr. Bealer recalled his conversation with the Reading School District's Director of Facilities. He reported a favorable response to the Commission's request for a meeting with the District's project managers and its architect, to be named at a March School Board meeting. He suggested the fourth Tuesday in April as a potential meeting date. The meeting request stems from Chairman Raffaelli's suggestion that the Commission take a role in the District's expansion plans. Those plans include a renovation of the soon-to-be vacant St. Joseph Medical Center on North Twelfth Street, renovations at the Millmont Elementary School on Summit Avenue, two additional 'magnet schools' and 25 'cottage schools'.

Mr. Miller reminded the Commission of the joint meeting with City Council and the Zoning Hearing Board, scheduled for Tuesday, March 21st, at 5:30pm in Council Chambers.

Mr. Rothermel, referring to the final form of the 2005 Annual Report, commented on the cover letter and other references to the Commission's purpose and scope. He felt it too narrowly defined, reminding the Commission of its role in implementing the City's Comprehensive Plan, support of neighborhood initiatives, downtown development and Corridor planning, urban renewal and recreation programs. He warned the Commission of allowing itself to be limited in its participation, recalling the expanded role played in the past.

With no further business, Mr. Lauter motioned to adjourn the March meeting. Mr. Cohen seconded. And the Commission voted unanimously to adjourn the March meeting, 5 to 0. – 9:30 pm.