

Minutes
Regular meeting of the City of Reading Planning Commission
November 24, 2009 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
Tonya A. Butler, Department of Law
Charles M. Jones, Department of Public Works

Others present:

E. Andrew Molteni, Environmental Advisory Board
Janet L. Drayer, Environmental Advisory Board
David A. Kostival, Reading Eagle Company

Following a delay while waiting for a quorum to form, Chairman Raffaelli called the November 24th meeting to order at about 7:25 pm. He asked for acceptance of the agenda. Mr. Lauter moved to accept the November agenda. Mr. Bingaman seconded. And the Commission voted unanimously to accept the November 24th agenda.

Blighted Property Review Committee, recommendations for reuse:

Mr. Raffaelli recalled the matter on the Commission's October agenda, when the Review Committee's Chairman and the City Clerk were in attendance to present their findings. Short of the quorum, that meeting never convened. Mr. Miller asked that Wayne Bealer, the Commission's delegate to the Review Committee, lead the discussion. Mr. Bealer explained that, after rereading the Urban Redevelopment Law (the 1945 Pennsylvania statute, amended in 1978 and 2002, defining the blighted property review process and the planning agency's role in it), he realized the Commission didn't have to make its recommendations until 30 days ahead of "disbursement", which itself could prove a lengthy process in some cases.

212 South 8th Street (212 South 8th Street, Ltd. since 20060331) – recommendation for reuse [0:02.01]

Mr. Bealer thought the preference may be to demolish the "Penn Optical" building and change the zoning to the 'Residential 3' designation that surrounds it. He sensed the current 'Manufacturing-Commercial' zoning was *drawn around* the property. He said the Commission could postpone its recommendation, expecting the size of the property to mean a longer process for acquisition. He said the Community Development Department and Reading Redevelopment Authority were still working out the terms of custody and maintenance of blighted properties. In Allentown's case, he said two staffers arrange everything for their redevelopment authority, doubting that Reading's could function similarly. He said their authority's activities are entirely funded via the Community Development Block Grant, whereas here, the blighted property expenses will have to be reimbursed. He said money allocated from the federal level was only recently released, as they had been waiting on a "City-wide environmental analysis".

118 West Elm Street (Steven Roberson since 19901123) – recommendation for reuse [0:06.14]

Mr. Bealer said the property is already scheduled for demolition, suggesting that, if the neighboring (116) property makes the 2010 certification list, the two could be combined as off-street parking for the T.J. Baker Funeral Home (222 North Front Street). He acknowledged this would change the use from *residential* to *commercial*. Seeking clarification, Mr. Miller understood that the Commission's recommendation had to follow the terms of the Comprehensive Plan and Zoning Ordinance, making its action but a formality in a residential zoning district. Mr. Bealer agreed. Asked about the ownership arrangement if acquired, Mr. Bealer explained that the Redevelopment Authority would be responsible until and unless conveyed to a nonprofit organization. He speculated that the pending job cuts in the Public Works Department may make continued maintenance of these properties more difficult. Mr. Jones confirmed that Public Works will not be covering those responsibilities. Mr. Miller thought that the narrow width of this, and a number of the other parcels on the list, would inhibit their use as parking lots. Mr. Bingaman hoped to see most of them divided between neighboring properties, and so removed from the City hands

as soon as possible. Mr. Jones added that the maintenance for all of the designated properties would soon be arranged on a contractual basis. Mr. Bealer said the eminent domain and conveyance procedures would normally be arranged by the Redevelopment Authority, but that the Community Development Department would likely take the lead. Mr. Miller sensed those roles would need to be formalized, before the takings begin. Mr. Bealer said the Redevelopment Authority has to take possession, but that reimbursement costs are still at issue. Discussion continued on the potential wording of the Commission's resolution and its authority.

Mr. Bingaman moved to recommend the reuse of 118 West Elm Street as 'residential', or a qualifying accessory thereto, conforming to the dimensional standards of the Zoning Ordinance, and further recommending the Reading Redevelopment Authority consider annexation to a neighboring lot as a condition of transferring ownership. Mr. Lauter seconded. And the Commission voted unanimously to forward the recommendation.

Resolution #50-2009

343 McKnight Street (Buy We Will, LLC since 20050912) – recommendation for reuse [0:32.35]

Mr. Bealer noted a very narrow lot, between two other homes, and expected it would eventually be demolished. He said its owner owes \$10,000 in water bills, thinking that more than property itself is worth. The Commission wondered aloud how the Water Authority would continue service with such an outstanding debt. Mr. Bealer said that a neighbor at 345 McKnight has claimed rats from 343 bite her children. Other building code deficiencies have been observed by the building inspectors.

Mr. Bingaman moved to recommend the reuse of 343 McKnight Street as 'residential', or a qualifying accessory thereto, conforming to the dimensional standards of the Zoning Ordinance, and further recommending the Reading Redevelopment Authority consider annexation to a neighboring lot as a condition of transferring ownership. Mr. Lauter seconded. And the Commission voted unanimously to forward the recommendation.

Resolution #51-2009

157 North Front Street (Buy We Will, LLC from 20050900 to Lissette Chevalier, Willys Abreu & Simeon Abreu 20090827) – recommendation for reuse [0:38.09]

Mr. Bealer said the Review Committee had originally preferred to combine the property with 155 North Front, and sell both to Habitat for Humanity, Inc. He said a couple has since come forward intending to rehabilitate the building, a 4-unit (at least) apartment building. Asked if that meant clearing the liens and fixing the structural defects, Mr. Bealer said yes, and believed the buyers had already done some cleaning and trash removal. He was unsure of the legal status of the apartments, and noted that there was no off-street parking available. He said the Review Committee certified the property at about the same time Buy We Will began negotiating with the potential buyer. Mr. Lauter preferred to wait until the legal questions were answered, concerned that an action of the Commission could be construed as a validation of whatever the new owners do with it. Mr. Bealer agreed to research it further.

360 McKnight Street (Sheila Perez since 20021127) – recommendation for reuse [0:43.05]

Mr. Bealer said the building is "in pretty good shape", and will be rehabilitated as a single-family dwelling. He explained that the owner, of about 5 years, had run out of money, and that vandals continue to break in.

Mr. Bingaman moved to recommend the reuse of 360 McKnight Street as 'residential', or a qualifying accessory thereto, conforming to the dimensional standards of the Zoning Ordinance, and further recommending the Reading Redevelopment Authority consider annexation to a neighboring lot as a condition of transferring ownership, if appropriate. Mr. Lauter seconded. And the Commission voted unanimously to forward the recommendation.

Resolution #52-2009

210 North Front Street (Amado Brito from ???????? to Simon L. Aquino-Almonte & Dilenia A. Batista 20090916) – recommendation for reuse [0:45.18]

Mr. Bealer expected this property to be removed from the blighted list. He said the only question remaining is whether it will be occupied as a single-family dwelling or as multiple apartments. He felt it would be *big* as a single. He said the rehabilitation is finished, and the work permitted. He thought whatever liens may have affected the property to have been cleared, and agreed to investigate the use and occupancy status.

228 North 2nd Street (Edward R. Holt & Cherri L. Rohrbaugh from ???????? to Celia Iris Garcia 20091020) – recommendation for reuse [0:47.13]

Mr. Bealer said the property was bought at a tax sale, though the new owner doesn't have enough money for the required rehabilitation, and has decided to return to Puerto Rico. He said Neighborhood Housing Services of Greater Berks, Inc. has expressed an interest in purchasing the property for renovation as a single-family dwelling. He intended to research the current status.

127 Walnut Street (Sandra I. Greer since 19870803) – recommendation for reuse [0:48.45]

Mr. Bealer said this building has been boarded up for some time, while the owner lives in Norristown and makes excuses. He said the building inspectors haven't mentioned demolition, and expected it would be rehabilitated as an apartment building, given its size. He advised proceeding with the vote.

Mr. Lauter moved to recommend the reuse of 127 Walnut Street as 'residential', or a qualifying accessory thereto, conforming to the dimensional standards of the Zoning Ordinance, and further recommending the Reading Redevelopment Authority consider annexation to a neighboring lot as a condition of transferring ownership, if appropriate. Mr. Bealer seconded. And the Commission voted unanimously to forward the recommendation.

Resolution #53-2009

153 Walnut Street (Ronald L. Heckman since 19940308) – recommendation for reuse [0:50.36]

Ms. Butler understood that the property hadn't yet been certified by the Review Committee. Mr. Bealer affirmed, explaining that the owner had taken an appeal to the Building and Fire Appeals Board. He said the building inspectors were handling it, for the time being.

628 North Front Street (Franklin Heredia since 20050527) – recommendation for reuse [0:51.31]

Mr. Bealer said this building would be demolished, and that the Review Committee hoped to see it combined with 626 North Front (demolished a year earlier) and conveyed to the Hope Lutheran Church for use as a play lot. Mr. Miller believed "places of worship" to be a special exception use permitted by the Zoning Ordinance in Residential 3 districts, and so in-line with the Commission's mandate if so recommended. The Commission temporarily moved on to the other properties while Ms. Butler researched it.

Upon confirmation [0:57.36], Mr. Bingaman moved to recommend the reuse of 628 North Front Street as a "place of worship", or a qualifying accessory thereto, conforming to the dimensional standards of the Zoning Ordinance, insofar as is practical. Mr. Lauter seconded, clarifying that if the Church declined to purchase the property, the Commission would have the opportunity to consider an alternate recommendation. And the Commission voted unanimously to forward the recommendation.

Resolution #56-2009

328 Pear Street (Stephen Pettiway since 20060310) – recommendation for reuse [0:53.38]

Mr. Bealer said this fire-damaged property would be demolished, and the land split evenly between the neighbors.

Mr. Bingaman moved to recommend the reuse of 328 Pear Street as 'residential', or a qualifying accessory thereto, conforming to the dimensional standards of the Zoning Ordinance, and further recommending the Reading Redevelopment Authority consider annexation to a neighboring lot, or lots, as a condition of transferring ownership, if appropriate. Mr. Bealer seconded. And the Commission voted unanimously to forward the recommendation.

Resolution #54-2009

317 Schuylkill Avenue (Mercedes I. Spradley from 19940531 to Napoleon Scott Stephany 20091030) – recommendation for reuse [0:55.02]

Mr. Bealer said the property was purchased at the County's 'free and clear sale', but that the new owner had yet to communicate his intentions to the Review Committee. He felt the building could be rehabilitated.

Mr. Bingaman moved to recommend the reuse of 317 Schuylkill Avenue as 'residential', or a qualifying accessory thereto, conforming to the dimensional standards of the Zoning Ordinance, and further recommending the Reading Redevelopment Authority consider annexation to a neighboring lot, or lots, as a condition of transferring ownership, if appropriate. Mr. Bealer seconded. And the Commission voted unanimously to forward the recommendation.

Resolution #55-2009

Other business:

§513.a approval reaffirmation-King Taco Land Development [1:01.27]

Mr. Bealer moved to reaffirm the approval originally granted July 14, 2009, by resolution no. 37-2009, approving the final land development plan for “King Taco Land Development”. Mr. Lauter seconded. And the Commission voted 3 to 1 to reaffirm the King Taco plan approval, Mr. Raffaelli casting the dissent.

Resolution #57-2009

§513.a approval reaffirmation-Lands of Munzer Yacoub [1:02.41]

Mr. Bingaman moved to reaffirm the approval originally granted March 11, 2008, by resolution no. 24-2008, approving the final subdivision and land development plan for “Lands of Munzer Yacoub”. Mr. Lauter seconded. And the Commission voted unanimously to reaffirm the Munzer Yacoub plan approval.

Resolution #58-2009

review the draft September 22, 2009 meeting minutes [1:04.48]

Mr. Lauter moved to approve the September meeting minutes, as presented. Mr. Bingaman seconded. And the Commission voted unanimously to accept the September 22nd meeting minutes.

Resolution #59-2009

Mr. Bealer asked if the written summary of the October session should be formally approved. Mr. Miller took the position that, without an official meeting, they weren't officially ‘minutes’.

Mr. Lauter moved to adjourn the November meeting. Mr. Bingaman seconded. And the Commission voted unanimously to adjourn the November 24th meeting. – 8:34 pm.