

Minutes
Regular meeting of the City of Reading Planning Commission
September 27, 2011 at 7:00 pm

Members present:

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

Staff present:

Andrew W. Miller, Planning Office
Frederick T. Lachat III, Department of Law

Others present:

Frederic deP. Rothermel Jr., Planning Commission Emeritus
Timothy J. Krall, SSM Group Inc.
Clarence J. Levan Jr., Milan Drafting Group
Miguel A. Herrera, Milan Drafting Group
Rafael D. Abreu, Jet Set Restaurant LLC
Kent D. Morey, SSM Group Inc.
Carole Duran, Reading Eagle Company

Chairman Raffaelli called the September meeting to order, and noted the attendance of a former member to be recognized. Mr. Lauter moved to accept the modified September 27th agenda. Mr. Burket seconded. And the Commission voted unanimously to accept the September agenda.

Fritz Rothermel: in recognition of 37 years of service to the City and Planning Commission [0:01.15]

Mr. Raffaelli acknowledged Mr. Rothermel's 28½ years as a City employee, and an additional 8½ as a volunteer member of the Commission, and presented him a commemorative plaque. Mr. Rothermel thanked the Commission for the opportunity to serve. He regretted that the Commission lately hasn't been utilized as it once was, feeling that it represented a valuable resource to the administration and City Council. Mr. Lauter thanked him for the guidance over the years. Mr. Miller appreciated the extensive record keeping.

Subdivision and Land Development:

Fire Training Center Subdivision – final subdivision plan [0:05.20]

Mr. Krall mentioned the previous presentation, and felt the few comments made had been addressed; zoning data and parcel information were added. He offered ten plan sets, certified by their surveyor and signed by the Chair of the Berks County commissioners, ready for the City's approval and endorsements. Mr. Miller agreed, recalling that the plan was all but complete in August, though tabled for some clarifications and technicalities. He reminded that the plan proposes only subdivision, without additional land development.

Mr. Bealer moved to approve the final subdivision plan, as presented. Mr. Burket seconded. And the Commission voted unanimously to approve the "Fire Training Center Subdivision" final plan.

Resolution #77-2011

§508.3 agreement to extension-Jet Set Restaurant Parking Area [0:08.03]

Mr. Miller reported that the applicant's legal counsel had authorized a 90-day extension.

Mr. Burket moved to accept the 90-day extension, as requested in a September 26th letter. Mr. Lauter seconded. And the Commission voted unanimously to extend its review of the "Jet Set Restaurant Parking Area" plan by 90 days, per the Pennsylvania Municipalities Planning Code's time limits (§508.3) on plan review.

Resolution #78-2011

Other business:

§609.c review-amendment to the Zoning Ordinance's conditional-use application procedures [0:09.21]

Mr. Miller referred to his written comments, and deferred to legal counsel for any additional comments. Mr. Lachat said the intent is to relieve the burden of the numerous hearings, by authorizing an independent hearing officer, or a single member of City Council, to hear the case as a fact finder and report to the full Council. He said they hoped to clear a backlog, and speed up the process. Mr. Bealer raised the concern of incomplete and inaccurate

applications. Mr. Lachat suggested it would make for quicker rulings on such unqualified applications. Mr. Miller explained that the amendment further defines the application procedure, but repeated his concern that, once an application is accepted by Zoning Office, the City faces a deadline for either approval or disapproval. He thought it a step in the right direction, but felt better application forms should be developed, more consistent with what is required by the Zoning Ordinance itself. Mr. Lachat offered to research that. Mr. Miller questioned the fate of applications whose uses are not “specifically authorized”, wondering if the Zoning Hearing Board can still consider it for a ‘use variance’. Mr. Lachat intended to clarify that procedure. Mr. Miller added that the public hearing is scheduled for October 18th.

Mr. Bealer moved to support and recommend Council’s adoption of the amendment to the conditional use procedures, and recommend that the administration draft a more-specific application form, more-reflective of the requirements of the Zoning Ordinance, and that procedures for uses not “specifically authorized” in a particular zoning district be clarified. Mr. Lauter seconded. And the Commission voted unanimously to forward that recommendation to City Council.

Resolution #79-2011

review the draft July 26, 2011 meeting minutes [0:20.58]

Mr. Bealer asked for a clarification.

Mr. Lauter moved to accept the July meeting minutes. Mr. Burket seconded. And the Commission voted unanimously to accept the July 26th meeting minutes.

Resolution #80-2011

review the draft August 23, 2011 meeting minutes [0:23.32]

Mr. Bealer mentioned two grammatical corrections that he’d request by email.

Mr. Burket moved to accept the August meeting minutes. Mr. Lauter seconded. And the Commission voted unanimously to accept the August 23rd meeting minutes.

Resolution #81-2011

Mr. Levan wanted to give an update on the Jet Set Restaurant parking plan, and an explanation of the extension requested. He referred to a question about a highway occupancy (Pennsylvania Department of Transportation) permit that, in August, the applicant fully believed he had but which, in fact, was a city permit issued in August 2010. He said the driveway was constructed that November. He confirmed that the 100 block of South 9th Street is regulated by the Department of Transportation and, at 27 parking spaces, is considered a “low-volume driveway”, estimating three to six months for a permit. He reported favorable results from the on-site stormwater testing. Because of the delay, they have decided to wait on submitting an updated plan and instead seek an extension. He added that they have recently received the written documentation of the Zoning Hearing Board’s decision.

Regarding Carpenter Technology Corporation’s Building 118 expansion, Mr. Miller recalled the Commission’s recommendation on the proposed zoning map change in August. While the Commission had then, and previously discussed a possible waiver of the land development plan review, given that the bulk of the project lies in Muhlenberg Township, he felt it would be inappropriate for the Commission to take such an action before City Council votes on the map change. In the meantime, he hoped to establish an understanding of the Commission’s intent for the applicant’s sake and the Township’s. He suggested some possible conditions to attach to such a waiver, including: copies of all correspondence from other regulating agencies, such as the Conservation District and Department of Environmental Protection, an opportunity for the City Engineer to review the stormwater and utility plans, a signature block on the record plan, which the County Recorder would require anyway, original copies of the record plan, and normal review and permitting by the City’s building inspectors. He reported that City Council had since held its public hearing on the proposed map change. Commission members indicated their general support and agreement. Mr. Morey further explained the City and Township meeting schedules complicating the effort.

Several other current issues were discussed, including: the growing mound of excavated fill and the façade of Hydrojet in the Buttonwood Gateway industrial park, the decline of the street trees along the Rockland Plaza mall, the construction methods used in the Berks Women in Crisis project on South 3rd Street, and City Council’s rulings on some recent conditional-use applications.

Mr. Bealer moved to adjourn. Mr. Lauter seconded. And the Commission voted unanimously to adjourn the September 27th meeting. – 9:01p