

**City of Reading
City Council
Work Session
Monday, June 21, 2010**

Councilors Attending: V. Spencer, F. Acosta, M. Goodman-Hinnershitz, S. Marmarou, D. Reed, D. Sterner, J. Waltman,

Others Attending: L. Kelleher, M. Mayfield, C. Geffken, C. Schmehl, F. Denbowski

Managing Director's Report

Interim Managing Director Carl Geffken highlighted the report distributed to Council at the meeting covering the following:

- Update on the implementation of the Act 47 Recovery Plan
- Improved efficiency and effectiveness of the Codes division
- Budget Update showing 45% of revenue collected –vs- 37% expended

Ms. Goodman-Hinnershitz thanked Mr. Geffken for his work to improve the efficiency of Codes. Mr. Geffken stated that Codes inspections will now be handled through an automated scheduling package in Hansen.

Mr. Sterner agreed the new stress placed on improved Codes enforcement.

Review Draft Zoning Ordinance

Mr. Spencer introduced Mr. Schmehl, from URDC, retained through a DCED grant to assist the City with drafting a new zoning ordinance, a new SALDO and a new official map.

Mr. Schmehl stated that through URDC he has worked to assist many cities with drafting new City planning documents. He described the enactment procedure which will include a public hearing. He stated that the Planning Commission is currently reviewing the draft ordinance and has held two (2) public meetings to obtain public comment. He stated that although this is considered a new zoning ordinance, some current provisions are carried forward. Mr. Schmehl distributed copies of an updated zoning map showing the new applications of an institutional zone that would be applied to Albright College, Alvernia University, RACC, the Navy Marine Center, Reading Hospital, and the Reading Public Museum. He provided an overview of the Executive Summary provided with the agenda materials as follows:

- Ease regulations concerning construction of single family homes.
- Strengthen language prohibiting additional conversions.
- Increase restrictions on student housing zones.
- Add an institutional zone overlay

Mr. Marmarou requested a map showing all Albright owned properties. He stated that Albright also owned the property behind the Wawa store located at 11th and Rockland. He suggested removing Kelchner field from the Albright institutional zone as a deed restriction for recreational purposes is applied to that property.

Mr. Acosta requested additional information on the daycare regulations and suggested setting square footage requirements.

Mr. Acosta inquired about the provisions regarding billboards (regular and LED). He noted the need to protect residential neighborhoods from the effect of billboards. Mr. Schmehl replied that size and lighting limits are provided.

Mr. Acosta questioned the inclusion of a revocation process for those uses that do not conform to City regulations. Mr. Schmehl says he is currently working with the City's Law Dept. to define the revocation language. Legal staff has noted the need to use the enforcement notice process. He stressed the need for zoning staff to write conditions on the zoning permit.

Mr. Waltman questioned the City's ability to revoke zoning issued to AHO properties that are not in compliance and the need for the City to have some enforcement tools. Mr. Schmehl noted the need to use the revocation process with care, and then again stressed the need for conditions to be written onto the zoning permit.

Ms. Reed questioned continuation of the Penn Square overlay and its potential conflict with the commercial core provisions. She noted the need to retain first floor retail use with residential or other uses on the upper floors. Mr. Schmehl stated that these terms were loosened slightly to allow a mix of commercial uses on the first floor.

Ms. Reed inquired if the Historic Districts will be affected by the zoning changes. Mr. Schmehl stated that the historic properties are covered under a separate section in the City's codified ordinances and are not affected as a group in the zoning ordinance. Ms. Reed agreed with the need to loosen the zoning restrictions on the addition of decks and sunrooms in residential zones; however, she noted the need for these structures to comply with the City's building codes. Mr. Schmehl agreed and stated that residential

properties that add features onto existing homes will still need to obtain City building permits.

Ms. Goodman-Hinnershitz expressed her agreement with the continuation of the preservation zone.

Mr. Schmehl noted that the City cannot require preservation or parkland if the land is privately owned.

Ms. Goodman-Hinnershitz inquired about the availability to convert vacant lots to parking areas in the R3 zone. Mr. Schmehl stated that off street parking lots in the R3 zone can occur for those uses that are permitted in that residential district.

Mr. Acosta inquired if the City can cap the further expansion of rental units in the City. He stated that as the City is over 50% rental now some cap needs to be applied at some point. Mr. Schmehl stated that in general caps on rental conversion cannot be applied.

Mr. Waltman noted the need to set more stringent components for rental properties.

Mr. Spencer agreed with the difficulty of the issue and the need to better regulate rental properties. Mr. Schmehl noted the ability of the City to prohibit student rental homes.

Mr. Waltman questioned the belief that preexisting college uses are prohibited from needing zoning permits for expansion projects. Mr. Schmehl suggested that the institutional zone be applied over the core campus only. He stated that this application is used in Allentown.

Mr. Spencer inquired about the language for parking lots and decks in the commercial core. Mr. Schmehl stated that the zoning committee discussed this process over many meetings and has set parameters to allow off-street parking only for permitted uses. Off-street parking lots or decks cannot compete with the parking authority.

Mr. Acosta inquired about regulations for barber shops. Mr. Schmehl stated that the new ordinance requires that barber shops to have a licensed person on premise during operational hours. Ms. Goodman-Hinnershitz inquired about applying those same restrictions to nail salons. Ms. Mayfield suggested adding language to require licenses as maybe required by the State.

Mr. Schmehl stated that the new zoning ordinance better defines group homes and provides a special category for treatment facilities. He stated that the new language

does add an escape clause to require consideration by the Zoning Board prior to initiation of a federal lawsuit.

Ms. Goodman-Hinnershitz noted the need for all treatment centers and homes to have the proper licensure. Mr. Schmehl described the Oxford case, which places limits on the ability to require licenses in all cases.

Mr. Schmehl and Ms. Mayfield noted the availability of the full Zoning ordinance on the City's website along with copies of the zoning map.

Mr. Schmehl stated that the Council public hearing is scheduled for Tuesday, June 20th at 5 pm in Council Chambers. He encouraged Council members to call him, should they have any questions.

Other Matters

Mr. Marmarou described the problems of the quick installation of a stop sign at 13th and Richmond Streets without proper notification or a proper traffic study. Mr. Geffken stated that he would inquire further into the matter.

Mr. Schmehl stated that most communities require that stop signs and other traffic control issues to be approved by ordinance.

As no further business was brought forward, the work session was adjourned at approximately 8:30 p.m.

Respectfully submitted by Linda A. Kelleher CMC, City Clerk