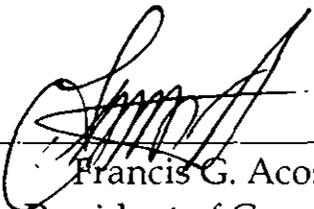


RESOLUTION NO. 101 2014

THE COUNCIL OF THE CITY OF READING HEREBY RESOLVES AS FOLLOWS:

Approving the Conditional Use application submitted by City Light Ministries, PO Box 12373, Reading 19612 and Joe Sclafani (tenants), for a temporary shelter use at the church located at 246 North 9th Street with conditions as attached.

Adopted by Council Sept 22, 2014


Francis G. Acosta
President of Council

Attest:


Linda A. Kelleher CMC
City Clerk

(Council Staff)

I, **LINDA A. KELLEHER**, City Clerk of the City of Reading, Pa., do hereby certify, that the foregoing is a true and correct copy of the original Resolution passed by the Council of the City of Reading, on the 22 day of Sept, A. D. 2014. Witness my hand and seal of the said City this 23 day of Sept, 2014.


Linda A. Kelleher
City Clerk

IN RE: APPLICATION OF : BEFORE THE CITY COUNCIL
CITY LIGHT MINISTERIES :
FOR A CONDITIONAL USE : OF THE CITY OF READING,
PERMIT TO OPERATE A : PENNSYLVANIA
TEMPORARY SHELTER :
246 N. 9th ST., :
READING, BERKS COUNTY, PA :

**DECISION OF THE CITY OF READING
CITY COUNCIL ON A CONDITIONAL USE APPLICATION**

AND NOW, this 22nd day of September, 2014, after a hearing held on September 3, 2014, upon the application of City Light Ministries, PO Box 12373, Reading 19612 and Joe Sclafani, tenants of 246 North 9th Street, notice of such hearing having been first sent, posted and advertised in accordance with the provisions of the Pennsylvania Municipalities Planning Code and the City of Reading Zoning Ordinance, as amended, the City of Reading City Council (hereinafter "Council") renders the following decision:

FINDINGS OF FACT

City Council finds the following facts:

1. The Applicant City Light Ministries, PO Box 12373, Reading 19612 and Joe Sclafani, tenants, (hereinafter applicant), 246 North 9th Street.
2. Applicant is the tenant of the fee simple owner of the property of 246 North 9th Street (hereinafter Subject Property), owned by Spring Valley Church of God at the time of application and at the time of the hearing.
3. The Subject Property is located in the CR zoning district as that term and district is defined by the City of Reading Zoning Ordinance, as amended, (hereinafter referred to as "Zoning Ordinance").
4. Applicant is seeking a Conditional Use permit to use the property as a temporary shelter between October and April for the homeless as per the Zoning Ordinance per §600-808 B 3 (f) and §600-1203 and 1204 Conditional Use.
5. The Applicant attended the hearing.
6. The Solicitor for the City entered the agenda with all attachments onto the record without objection from the Applicant.
7. The Applicant stated that the Property has a zoning permit for a church and began operating a breakfast program for the homeless in 2011 and identified the need for a temporary shelter for homeless

individuals who cannot be served by the existing homeless facilities, when he began operating a Code Blue 323 program and providing support services to the individuals who use the program. The Applicant stated that he serves 40 people per night who cannot be served by other existing homeless programs.

8. The Applicant stated that he has been working with the City and an architect to make the required code improvements to the interior of the building and make improvements to the exterior when the interior project is completed.
9. The Applicant did not provide information on the number of employees working at this location or information about the availability of off-street parking.
10. The zoning administrator and the Planning Commission recommended approving the permit with conditions.

DISCUSSION

The Applicant is seeking a Conditional Use Permit for a temporary shelter program within the building annually between the months of October and April. The building is located in a CR zoning district.

FINDINGS OF FACT AND CONCLUSIONS OF LAW

1. The Subject Property at 246 North 9th Street is located in the CR Zoning District.
2. Hearing was held on September 3, 2014.
3. Applicant requests a Conditional Use permit for a temporary shelter within the church located at 246 North 9th Street.
4. The burden of proof for an application for a Conditional Use is upon the Applicant.
5. City of Reading City Council is permitted to grant Conditional Uses, with conditions and other relief as set forth in the Zoning Ordinance of the City of Reading and Pennsylvania Municipalities Planning Code upon compliance with the requirements therefore set forth in the Zoning Ordinance.
6. The Applicant did not provide information on the number of employees working at this location or the availability of off-street parking.
7. The Applicant testified that he is working to make the required code improvements to the building and that he offers support

programs to end homelessness to those who use the temporary shelter during the cold weather months.

8. Applicant did not file an application for other relief from the City of Reading Zoning Hearing Board.

DECISION

After reviewing the Applicant's request in detail, City Council enters the following decision:

1. The application of City Light Ministries, PO Box 12373, Reading 19612 and Joe Sclafani, tenants, (hereinafter applicant), 246 North 9th Street for a conditional use permit for a temporary shelter is hereby approved with the following conditions:
 - a. The property shall meet all applicable Building, Trades and Fire Code requirements required by the City's Building and Trades Division and the Fire Department. The property shall also obtain a Certificate of Occupancy prior to the issuance of the Conditional Use permit and prior to the opening of the temporary shelter.
 - b. The occupancy load for the temporary shelter shall not exceed 40.
 - c. The temporary shelter shall be permitted on the first floor of the property with separate sleeping quarters for the male and female clients.
 - d. All occupants shall vacate the premises by 9:00 AM prevailing time each day and shall be subject to verification upon unannounced site visits by a City official. The occupants may remain at the church after 9 AM if they are participating in the support programs to end homelessness offered by the church.
 - e. The basement shall not be used as a sleeping area at any time.

This is the decision of the City of Reading City Council by a vote of 6 to 0.