

**MECHANICSBURG BOROUGH
PLANNING COMMISSION
MEETING MINUTES – SEPTEMBER 24, 2012**

ATTENDANCE:

Planning Commission Members: Harry Baker (arrived at 6:34 p.m.), Roger Ciecierski, Tim DeWire (arrived at 6:34 p.m.), Chris Knarr, Ed LeClear and Jennifer Magaro

Absent: Daryl Ackerman

Borough Council: Kyle Miller, Linda Humes, and Jack Ritter

Borough Staff: Patrick Dennis, Borough Manager, Jason Foster - Codes and Zoning Officer and Trish Hammaker – Codes and Zoning Secretary and Greg Rogalski, Borough Engineer

Cumberland County Planning Department: None

Applicants: John and Sally Holbert

Press: None

Others: Karl and Mary Krouch, Dan Williams, Keith Walborn, James Clay, Bill Gladstone and Neal Metzger

Next Meeting: October 22, 2012 @ 6:30 p.m.

Work Session: October 15, 2012 @ 6:30 p.m. (if needed)

1. CALL TO ORDER/ROLL CALL:

Knarr called the meeting to order at 6:30 p.m. Attendance was taken and a quorum was present.

2. PLEDGE OF ALLEGIANCE/MOMENT OF SILENT REFLECTION:

Knarr led those assembled in the Pledge of Allegiance followed by a moment of silent reflection.

3. PUBLIC COMMENT:

Chairman Knarr asked if there was any public comment. No comment was offered.

4. APPROVAL OF MINUTES: (ACTION)

A. April 23, 2012 – Regular Meeting.

- **Information/Discussion:** There was no discussion.
- **MBPC Action:** Ciecierski made a motion to approve the minutes as presented. Magaro seconded the motion, which passed with all in favor.

5. CORRESPONDENCE/UPDATE: (INFORMATION)

A. Committees/Boards/Commission Updates.

1. **Cumberland County Planning Commission.** Chairman Knarr noted that there was no meeting held in September.
2. **Historic Architectural Review Board (HARB).** There was nothing to report.
3. **Environmental Advisory Council (EAC)/Shade Tree Commission.** Hammaker stated that the EAC will have a stand at Streets of Treats.

B. Pa Municipal Planning Education Institute – A Course in Municipal Planning – October 4, 11, and 18 from 6:00 p.m. to 9:30 p.m. – Upper Allen Township Municipal Building. Chairman Knarr advised that if anyone is interested in attending, they should contact Ms. Hammaker.

C. DEP Releases Draft Permit Improvement Policies for Public Comment. Chairman Knarr stated that comment will be accepted until October 1st.

6. PLANS: (ACTION):

There were no plans to be discussed.

7. **OLD BUSINESS (ACTION) :**

There was no old business to be discussed.

8. **NEW BUSINESS (ACTION):**

A. Conditional Use Application of John and Sally Holbert – 39 East Main Street for a Professional Office. John and Sally Holbert were present to represent the application. Sally Holbert, 424 West Main Street, addressed the Planning Commission stating that she and her husband purchased the property at 39 East Main Street in 2009. She added that when they bought the building it was being utilized as a single family home with a home occupation of a beauty salon. She added that they converted the building to a mixed use building shortly after the purchase. Ms. Holbert stated that the first commercial tenant that they had in the building was Diane Replogle who operated an Interior Design business. She added that they allowed Ms. Replogle to sub-let the unit noting that the rear was used by Brittle Bark and the front was used by Studio 39. Ms. Holbert stated that they have been trying to market the space as a professional office or retail. She added that they now have potential tenants who wish to open an office. Ms. Holbert stated that the company is a Washington D.C. based firm called Maga Designs that does strategic communications and team building, adding that the firm is about five years old and also has an office in Charleston, South Carolina. Ms. Holbert stated that the company has a lot of federal clients and they chose this location because of its proximity to the Navy Depot. Ms. Holbert stated that they intend to have two employees initially and that deliveries will be limited.

Chairman Knarr asked if there was any public comment. No public comment was offered.

Chairman Knarr asked for staff comment. Codes and Zoning Officer Foster stated that the application was complete and that he had no issues with the application.

Chairman Knarr asked if the Planning Commission members had any questions or comments.

Vice Chair LeClear asked what the term of the lease was. Ms. Holbert stated it was two years. LeClear asked if the Holberts knew the term of the contract between the tenant and the Navy Depot was. Ms. Holbert stated that she thought it was five years.

Baker asked the use of the second floor. Ms. Holbert stated that the second and thirds floors were residential rental units.

Chairman Knarr asked the square footage of first floor. Mr. Holbert stated that it was approximately 1500 square feet. Knarr stated that the hours of operation were listed as Monday through Friday from 8:00 a.m. to 6:00 p.m. and that it was estimated that there would be six to eight trips per day.

Sally Holbert stated that the municipal parking lot was approximately 150 feet from the building.

MBPC Action: With no further discussion, LeClear made a motion to recommend approval of the conditional use with no conditions. Ciecierski seconded the motion, which passed with all in favor.

B. Possible Zoning Ordinance Amendments.

1. Immediate Revisions.

a. Personal Services in the CMM Zoning District. Vice Chair LeClear stated that the Commission needed to decide whether this issue should be addressed immediately or if it should be placed on the list for long-term changes so that technical assistance could be obtained. He added that currently, personal services are not allowed in the CMM Zoning district.

Codes and Zoning Officer Foster stated that he has received numerous requests for personal service business in the CMM Zoning district.

LeClear stated that this regulation was initially adopted in an effort to attract retail uses to the downtown.

Sally Holbert stated that she thought the Borough would be better off having personal services in the downtown rather than vacant storefronts. She added that personal services would be beneficial to the tax base and that they would generate foot traffic.

John Holbert stated that he did not believe that this would cause an overabundance of salons to pop up due to competition.

Ciecierski agreed that the market would drive what types of businesses came into the Borough.

DeWire stated that he does not see an overabundance of vacant storefronts in the downtown noting that the CMM Zoning district is a small area.

Baker noted that personal services would be a variety of uses and that all of these uses need to be considered not just salons. He added that he would like to see this issue added to the work program and not rushed into.

Magaro agreed with Baker stating that it should not be rushed into.

Councilman Miller stated that he supports the comprehensive approach adding that he would like to see a more detailed study conducted.

Councilwoman Humes stated that she agreed with Councilman Miller.

- b. Office – Small Scale in the CMM Zoning District.** Vice Chair LeClear suggested changing small scale office from a conditional use to a permitted use in the Zoning Ordinance.

Ciecierski suggested that the change be considered in the CMM Zoning district only.

Knarr stated that there are other more intensive uses permitted in the Old Town Zoning district.

Councilman Miller and Councilwoman Humes stated that they prefer the use to be conditional in the Old Town Zoning district.

MBPC Action: LeClear made a motion to recommend that Borough Council consider changing the small scale office use from a conditional use to a permitted use in the CMM Zoning district. Baker seconded the motion, which passed with all in favor.

- c. Live Work Unit Definition.** LeClear stated that the live work unit definition lacks clarity and is causing confusion for applicants. He suggested removing the definition from the Zoning Ordinance.

Sally Holbert stated that she thinks that mixed use buildings should be allowed.

LeClear stated that mixed use buildings would still be allowed; it is only live work units that are being addressed.

MBPC Action: With no further discussion, Ciecierski made a motion to recommend that Borough Council consider removing live work units, in its entirety, from the Zoning Ordinance. Baker seconded the motion, which passed with all in favor.

- 2. Long-Term Revisions.**
 - a. Semi-detached in the RM Zoning District.**
 - b. Use Table – Conditional Uses.**
 - c. Other Noted Items.**

Vice Chair LeClear went over the list for long-term revisions (see items a & b above), noting that personal services in the CMM Zoning District would be added to the list. He asked if anyone had any items to add to the list.

Ciecierski, DeWire, Baker, and Magaro agreed with the list.

Manager Dennis stated that he felt that permitted uses verses conditional uses should be discussed, as he does not think the long-term vision is being seen by the public.

Knarr stated that he felt the following items should be added to the list:

Zoning Ordinance:

- Alternative Energy.
- Airport Overlay.
- Multiple Uses on One Lot.
- Lot Coverage vs. Impervious Coverage.
- Loading Standards.
- Lot Layout and Design Standards in the OT and CMM Zoning Districts.

Subdivision and Land Development Ordinance:

- Minor Plans.
 - Approvals of Minor Plans.
 - Signature of the Planning Commission with Respect to Minor Plans.
 - Disapproval for Incomplete Applications for Minor Plans.
- Definition for Subdivision.
- Definition for Land Development.

LeClear asked Manager Dennis what the time limit for a budget submission would be. Manager Dennis stated October 12th.

LeClear stated that this would not be enough time to get the Requests for Proposal out and get responses and asked if the Commission gave a placeholder by the 12th, what is the absolute last day to give firm figures. Manager Dennis stated that it would be the beginning of November. He noted that a member of the Planning Commission could attend the budget hearing and make a formal request at that time. LeClear asked what the timeframe would be for a Request for Proposal. Manager Dennis stated that he would work with Mr. LeClear on that issue.

Manager Dennis suggested prioritizing the list in case not all issues could be funded in next year's budget.

Chairman Knarr stated that this could be done via email and asked that the emails go through Ms. Hammaker who will forward them to Mr. LeClear.

- C. Rutters – 714 West Main Street – Discussion.** Chairman Knarr stated that this discussion was for informational purposes only adding that no plans have been submitted to the Borough at this time. Manager Dennis stated that this was a meet and greet. Chairman Knarr notified that audience of the way this discussion would be handled noting that the public would be given a chance to speak and that when that time comes the person speaking should provide their name and address for the record prior to speaking.

Neal Metzger, ISC Design Architects, was present. Mr. Metzger provided the Commission with a copy of an aerial site layout plan and posted a large one for the public to view. Mr. Metzger introduced himself to the Commission noting that his company designs for Rutters. Mr. Metzger stated that the site at 714 West Main Street was a grocery store adding that Rutters wants to redevelop the site, which is approximately 5,800 square feet. He noted that Rutters proposes to open a store with ten gas pumps at this location. Mr. Metzger noted that they have been corresponding with Fry Communication in order to share ingress/egress at the western end of the property. Mr. Metzger added that a majority of the access to the property would be from the eastern side off of Point Street. Mr. Metzger noted that they are currently working with the Borough Engineer on the traffic study noting that counts were done last week and they are moving forward. Mr. Metzger noted that they hope to be applying for Conditional Use and Variance requests in the near future. At this time, Mr. Metzger asked if anyone had any questions of him.

Engineer Rogalski stated that this is a problem area with respect to stormwater and the Borough would be asking for the downstream collection system to be investigated as part of the project. He added that he wanted to clarify that if the western access were to be used, additional studies would be required.

Manager Dennis stated that the Borough has concerns with respect to stormwater and traffic.

Codes and Zoning Officer Foster stated that he had nothing to add.

At this time, Chairman Knarr opened to the floor to the public.

Keith Walborn, 1219 Mitchell Drive, spoke stating that he has lived at this location for 25 years. He stated that he has seen the traffic flows increase at this location over the years and it poses a concern for him, as he is a trucker for 41 years and he knows that this type of commercial use will come with increased traffic volumes. Mr. Walborn added that he is not in favor of the site being illuminated on a 24-hour a day, seven day a week time frame.

Carl Krouch, 711 West Trindle Road, Monroe Township, spoke stating that he resides across from the site. Mr. Krouch expressed his concerns about stormwater stating that his property has been flooded on various occasions. Mr. Krouch also expressed concerns about light pollution and noise. Mr. Krouch asked if there would be a carwash at the facility. Mr. Metzger stated that none was proposed.

Jim Clay, 138 West Main Street, spoke stating that there used to be a gas station at this site and asked if the site was clean. Mr. Metzger stated that a study was done, but he is not sure of the results.

Seeing no further public comment, Chairman Knarr explained the process moving forward and reiterated the public concerns:

- Traffic
- Light Pollution
- Noise
- Stormwater
- Potential contamination on the site

Chairman Knarr advised that all of these concerns would be addressed during the land development process.

Chairman Knarr asked if the Commission had any questions or comments at this time.

Ciecierski spoke to the stormwater issues in this area and stated that on-lot storage would be needed.

Baker reiterated the stormwater concerns.

LeClear also had concerns regarding stormwater. He added that he was concerned about the height of the sign and asked if this would be a 24-hour a day, seven day a week business. Mr. Metzger stated that it would be.

DeWire stated that he felt the fuel island canopy columns should be masonry wrapped.

Baker asked how the traffic study is conducted. Mr. Metzger and Engineer Rogalski explained the process. Baker also expressed concerns about illumination with respect to the homes in the area. Mr. Clay also noted from the audience that ongoing construction on Trindle Road could have a bearing on traffic counts.

Magaro asked if the traffic study would include traffic on Simpson Street. Engineer Rogalski said possibly depending on the amount of traffic.

Knarr listed items of concern to him, including sidewalks and pedestrian connections and shade trees. Knarr stated that the Comprehensive Plan shows this area as a major gateway and asked if the applicant would be willing to entertain gateway signage in that area. There was no response. Knarr asked if the parking along the Church Street side of the site would be screened and Mr. Metzger stated that it would be. Knarr asked if this is the most efficient layout for the lot. Codes and Zoning Officer Foster stated that due to the regulations regarding the gas pumps, he felt it was. Knarr asked if there would be a liquor license associated with the project and Mr. Metzger advised that there was no intention to sell alcohol.

Knarr summarized the concerns of the Planning Commission members and thanked Mr. Metzger for his time.

D. 2013 Budget Request. Chairman Knarr stated that this issue was discussed earlier in the meeting and members could submit information via email no later than October 12th.

9. COMMENTS FOR THE GOOD OF THE ORDER:

DeWire noted that people should yield to pedestrians in crosswalks.

Engineer Rogalski introduced himself to the Commission, as this was his first Planning Commission meeting since taking over for Steve Barber.

10. ADJOURNMENT:

With no further business to be discussed, Ciecierski moved to adjourn the meeting at 8:22 p.m. Baker seconded the motion, which passed with all in favor.