

**LANCASTER CITY PLANNING COMMISSION
MEETING**

Wednesday, January 15, 2020

6:00 P.M.

Commission Room
City Hall Annex
120 North Duke Street

AGENDA

1. Call to Order
2. Approval of the Minutes of the December 18, 2019 Meeting
3. Final Plan – 1151 S. Duke St.

Flex-Cell Precision proposes the construction of an approximately 23,500 square foot building addition to an existing manufacturing facility located at 1151 S. Duke Street. The proposed improvements also include new parking areas, utilities and stormwater management features to support the proposed use.

4. Final Plan – 1270 Grofftown Rd.

CH&E proposes combining an adjacent lot with 1270 Grofftown Rd. for a total tract size of 3.99 acres, which will help accommodate the construction of a 2,320 sq. ft. pole barn that will be located at the presently separated parcel's shared boundary. The barn will provide additional indoor storage for CH&E's construction business.

5. Petition for a Zoning Map Amendment – 210 College Ave.
Continued from the December 18, 2019 meeting.

UPMC Pinnacle Lancaster has petitioned the City of Lancaster to amend its Zoning Map to rezone 210 College Ave. from Hospital Complex District (HC) to Mixed Use District (MU).

6. Certification of Blight for Vacant Properties – 13 E. New St.

In accordance with the procedures of the Lancaster Property Reinvestment Board, as stipulated by §22-42 of the Code of the City of Lancaster, the Planning Commission is asked to make a determination of certification of blight for the above properties.

7. Other Business
8. Public Participation
9. Adjournment

Lancaster City Planning Commission Minutes

January 15, 2020

The Lancaster City Planning Commission held a regularly scheduled meeting on Wednesday, January 15, 2020 at 6:00 PM in the City Council Chambers, Municipal Building, 120 North Duke Street, Lancaster, Pennsylvania.

PRESENT: Eve Bratman, Chairperson; Josh Druce, Vice Chairperson; Chris Modlin; Nelson M. Polite; Jocelynn Ritchey; Lagen R. Wright; Jose Colon; Jon C. Lyons

EXCUSED: None

STAFF: Chris Delfs, Director; Douglas Smith, Chief Planner; Joe Landis, Planning Intern

GUESTS: Kyle Solyak, Tono Architects; Matthew Rosing, Resident; Mark Nevin, Resident; J. Hubary, Philadelphia Healthcare Rights Campaign/Put People First! PA; Nate Warren, Resident, Member of Put People First! PA; John Mullineaux, Resident; Stephen Patterson, Resident; Hawa Lassanah, Resident; Ben Craddock, Lancaster Civil Engineering Co.; Zak Gregg, Resident; Tammy Rojas, Resident, Member of Put People First! PA; Brian Borgart, Resident; Kathy Noll, Resident; Christopher Brooks, Resident; Lynn Brooks, Resident; Laura Proctor, Lancaster County Planning Commission; Nick Hopkins, Resident; Ryan Gebhardt, Resident, Party for Socialism and Liberation; Sylvia Alajaji, Resident; Jim Devine, Resident; Kim Devine, Resident; David Noll, Resident; Howard Montgomery, Resident; Robert LaGrassa, Resident; Michelle LaGrassa, Resident; Jose Rivera, Resident, Member of Put People First! PA; Zachary Richard, Resident; John Hershey, RGS Associates; Jen Frank, Community Organizer; Margaret Neal, Millersville Resident; D. Franc, Penn State Health; Charles Lane, Lancaster County Resident; Paul Toburin, UPMC; Xavier Garcia, City Council; Brooks Turkel, UPMC; John Holden, Resident; Claudia Shank, McNeese Wallace & Nurick; Chris Larsen, Resident; Grace Henderson, Resident, Member of Put People First! PA; Eric Fisher, Resident; Leah Akins, Resident; Julia Berkman-Hall, Resident; Pete Egan, CH&E; Anne Winslow, Resident; Cindy Sawicki, Resident; Stephen Campbell, Resident; Tom Simpson, Resident; Delwyn Schumacher, Resident; Tamra Shumacher, Resident; Tim Stuhldreher, LNP; Richard Fluck, Resident; Ann Wenger, Resident; Jeremy Young, Resident; Ismail Yudu Salim, Resident; Eli Flanagan, Resident; Nancy Neff, Resident; Sam Neff, Resident; Kevin Weir, Resident; Brenda Ronco, Resident; Stacie Reidenbaugh, 10,000 Friends of PA; Marcy Hostetter, Resident; Ryan Murray, Resident; Madra Clay, Resident

Minutes of the December 18, 2019 Meeting

Chairperson Bratman called the meeting to order at 6:04 PM. Mr. Smith noted two corrections to the draft minutes, which will be made before the minutes are considered final. Ms. Ritchey motioned to approve the minutes of the December 18 meeting. Mr. Polite seconded the motion and the minutes were unanimously approved with an abstention from Ms. Wright, Mr. Colon, and Mr. Druce, who were all absent from the December 18 meeting.

Final Plan – 1151 S. Duke St.

Flex-Cell Precision proposed the construction of an approximately 23,500 square foot building addition to an existing manufacturing facility located at 1151 S. Duke Street. The proposed

improvements also include new parking areas, utilities, and stormwater management features to support the proposed use.

Mr. Craddock oriented the Commission members to the plans. Ms. Ritchey asked about the increase in number of parking spots included in the plan. The architect explained that the number will increase by about 20 spaces. Ms. Bratman asked whether there would be more employees using the parking lot. Mr. Craddock and a representative from Flex-Cell Precision confirmed that the number of employees is expected to grow to around 80.

Mr. Craddock explained adjustments to the stormwater facility and the grading and landscaping within the plan. Ms. Bratman asked whether any trees will be removed. Mr. Craddock explained that a few current trees on the site will be removed, but these will be replaced with new trees. The final plan represents new tree planting in excess of the requirements of the land development ordinance, and an overall increase in the total number of trees on the property.

Mr. Smith explained that the project has received a waiver of preliminary plan review and expressed appreciation for the applicants' preservation of the tree cover on a portion of the site. Mr. Smith further explained a set of conditions for approval identified during the review process by City staff.

Ms. Bratman asked Mr. Smith why the Stormwater Bureau included a condition requiring grass cover instead of gravel over a future building pad on the site. Mr. Smith explained that that gravel is considered an impervious surface according to City ordinances, and the City is concerned that gravel might be used for improper parking purposes. Grass is an alternative surface cover that is not impervious. Mr. Craddock expressed the applicant's intent to cooperate with this and other conditions.

Ms. Ritchey moved to approve the plan subject to all conditions outlined by Mr. Smith. Mr. Modlin seconded the motion. Ms. Bratman called the question, and the Commission passed the motion unanimously.

Final Plan – 1270 Grofftown Rd.

CH&E proposed combining an adjacent lot with 1270 Grofftown Rd. for a total tract size of 3.99 acres, which will help accommodate the construction of a 2,320 sq. ft. pole barn that will be located at the current shared boundary between the parcels. The barn will provide additional indoor storage for CH&E's construction business.

Mr. Hershey explained the history of the site's development to date. Mr. Hershey oriented the Commission to the site plans and explained that the new development would have no impact on tree cover, contains no additional paving, and that the stormwater facilities on site are sufficient for the new construction. Mr. Hershey also explained the nature of the proposed structure's storage use.

Mr. Hershey outlined the addition of new sidewalk cover along the Grofftown Rd. edge of the site and explained the first two modifications requested by the applicant related to sidewalk placement. Mr. Hershey also stated that eight new trees would be planted in accordance with ordinances but detailed the request for modification asking that these trees not be located along the E. Walnut St. or the Grofftown Rd. frontage.

Ms. Ritchey asked why the eight trees required would not be located along the road frontage. Mr. Hershey explained that the space along Grofftown Rd. dedicated to City use does not contain enough space.

Ms. Bratman asked about the second proposed modification regarding sidewalk placement along Grofftown Rd. Mr. Hershey oriented the Commission to the location of the proposed sidewalk and

the modifications included in the design to address ADA accessibility issues and maneuver around an existing rock outcropping without infringing on the public right-of-way.

Mr. Lyons asked why there is a need for sidewalk along Grofftown Rd. considering current light foot traffic patterns and the current industrial nature of the area. Mr. Hershey explained that the City Engineer expects increased foot traffic along this corridor in the future and mentioned the multiple schools and recreation spaces located near to the site. Mr. Egan noted that the Active Transportation Plan includes a tunnel under Route 23, which would lead to increased foot traffic by increasing connectivity. Mr. Smith also noted the importance of providing walkways for school children and confirmed that the plan fulfills SALDO sidewalk requirements.

Ms. Bratman noted that the additional structure represents an increase of only one percent in impervious coverage on the site.

Mr. Druce moved to approve the final plan, including the 4 modification requests, and subject to the 4 City staff recommendations. Mr. Modlin seconded the motion.

Mr. Hershey asked for clarification about parameters for the placement of trees on-site or off-site. Mr. Smith explained that the applicant could pursue an easement to place the trees on-site or work with City staff to plan off-site.

Ms. Bratman called the question, and the Commission voted unanimously to approve the final plan, including all modifications and City staff recommendations.

Petition for a Zoning Map Amendment – 210 College Ave. (Continued from the December 18, 2019 meeting.)

UPMC Pinnacle Lancaster petitioned the City of Lancaster to amend its Zoning Map to rezone 210 College Ave. from Hospital Complex District (HC) to Mixed Use District (MU).

Ms. Bratman provided some background to the audience regarding the December 18 meeting and happenings in the interim since the meeting.

Ms. Shank from McNees addressed the Commission, summarizing the rezoning request and the modification process. Ms. Shank noted that since the last Commission meeting, the Lancaster County Planning Commission (LCPC) had reviewed the request and recommended approval of rezoning. Ms. Shank also noted that there are still two interested developers, who will not move forward with the purchase prior to the site's rezoning to MU.

Mr. Lyons asked for clarification regarding current permitted uses on site under HC zoning. Ms. Shank clarified these uses.

Mr. Smith repeated his presentation from the December 18th meeting regarding the context and legal framework for the rezoning decision. The presentation drew from the Lancaster City Zoning Ordinance's "Community Development Objectives" (developed in 1993 and readopted in 2007), the 1993 Lancaster City Comprehensive Plan's policy section, the 2015 "Building on Strength" economic development plan, the 2007 "Growing Together" master plan produced for Central Lancaster County, and the 2018 "Places 2040" comprehensive plan for Lancaster County. Mr. Smith then provided an overview of what uses are permitted in MU and HC districts. He provided additional overview from the Zoning Code regarding the residential uses allowable under MU, including the following:

- MU District permits nearly every type of housing permitted in the City.
- MU is the only district for two-family units outside Central Business District.
- MU is the only district for live-work units outside Central Business District.
- The above factors create conditions useful to achieving affordable housing.

Mr. Lyons asked Mr. Smith to provide a definition of live-work spaces. Mr. Smith defined this term, and Mr. Lyons noted that live-work spaces seem to be in line with the character of the City's built environment.

Ms. Bratman thanked Mr. Delfs for the provision of a memo detailing the City's perspective on the rezoning decision. Ms. Bratman directed the attention of the Commission to Item C under the memo's "Considerations" section, which addresses residents' concerns regarding housing choice. Ms. Bratman noted verbal agreement from UPMC to "donate the land and building at 213 College Ave as part of the overall development of the land and buildings at 250 College Ave," the area of which totals .37 acres.

Ms. Shank clarified that the donation of the referenced lot is just one potential option being considered by UPMC to make affordable housing development possible as part of the redevelopment of 250 College Ave.

Ms. Ritchey asked for a summary of the notes the LCPC provided along with their recommendation to approve rezoning to MU. Ms. Shank provided an overview of these notes, as follows:

- 1) the City should consider requiring submission of a Master Plan along with land development plans for sites of this size;
- 2) the City should develop an Official City Map; and
- 3) the City should consider their Complete Streets policy in reviewing plans for the site.

Ritchey asked if prospective developers have been in communication with the City. Mr. Delfs confirmed communication between the City and both interested developers, and thanked Ms. Bratman for addressing his memo. Mr. Delfs noted a sense of apprehension at the last meeting around future site development plans and stated that the question under the Planning Commission's consideration is limited to choosing the underlying zoning appropriate for the site. Mr. Delfs then summarized Section A of his memo, noting that each preliminary concept is a "true mixed-use" concept and each project would provide for adaptive reuse of the hospital building rather than demolishing the site. Mr. Delfs also directed attention to additional details of each preliminary concept included in Section A of the memo. Mr. Delfs noted that his memo focuses on the two principal needs expressed by the community in the December 18th meeting: health care uses, and housing supply and affordability.

Mr. Lyons asked for clarification about whether any proposed land development plans would come to the Commission. Mr. Delfs confirmed that the plans would come before the Commission for approval and outlined the process for rezoning and further Commission involvement in the land development process for this parcel.

Ms. Bratman asked the Commission to consider what are their priorities for additional recommendations to provide to City Council along with the issuance of the Commission's recommendation to approve or deny the rezoning.

Mr. Lyons asked whether the Commission might be able to recommend to City Council that something resembling a request for proposals mechanism be attached to approval of rezoning. He expressed a desire for the City to have more opportunity to guide the development of the site after the rezoning decision is made.

Ms. Bratman clarified that the Commission is not permitted to attach conditions to their recommendation to City Council. Rather, the Commission is only able to provide an overall recommendation regarding the rezoning decision and some further recommendations about issues City Council should address when making the final ruling.

Mr. Delfs further explained the reason why City staff has been proactive in meeting with potential developers. He expressed that the City was motivated by a desire to be as clear as possible with developers about the community priorities the City hopes can be collectively achieved through the site's redevelopment.

Mr. Druce asked Mr. Smith about the future of the HC district in the City of Lancaster. He asked whether the scope of the changes considered in rezoning the UPMC site ought to also consider a text amendment to the zoning code eliminating the HC district, since this is one of the only HC district sites in the City. Mr. Smith clarified that there are currently several other HC district sites in the City. He outlined some ways other cities zone for hospitals and stated there is room for the Planning Commission to discuss and suggest alternatives for zoning for hospital uses in the future.

Mr. Lyons asked about a prior process that allowed for the reuse of an osteopathic hospital in the East of the City. A resident clarified that this site is now used for student housing. Mr. Hopkins clarified that this property is actually located in Lancaster Township, and Mr. Lyons withdrew his question.

Mr. Druce asked Ms. Shank for any further detail available about potential buyers of the 250 College Ave. site. Ms. Shank stated that the interested developers are not prepared to commit to the sale or go public before the rezoning decision is finalized.

Mr. Modlin asked what would prevent redevelopment of the site as a hospital. Ms. Shank explained the main factors, including mold on site and a widening gap between the facility's outdated infrastructure and advancements in medical practice guidelines. Ms. Wright asked for further detail, and Ms. Shank stated that medical reuse is not economically feasible. Mr. Lyons agreed that hospital reuse might require razing and completely rebuilding the structure on the site.

Mr. Colon asked what efforts were made to maintain the property after the hospital closed. Ms. Shank stated that UPMC has spent money on preserving the site over the year since the hospital's closure. Ms. Wright asked why more money was not invested into the site when it was operating as a hospital. Ms. Shank stated that this was a business decision. Ms. Bratman expressed her opinion that UPMC had neglected the property but recognized that the Commission must prioritize focusing on the rezoning decision rather than the current owner's neglect.

Ms. Wright asked for clarification about City Council's role. Ms. Bratman noted the Chair of City Council and two other Council members were in attendance for this Commission meeting and recognized that there will be further steps in the rezoning process after the Planning Commission votes. Ms. Bratman then opened the floor for public comments.

Ms. Rojas, a City resident and member of Put People First! PA (PPF-PA), addressed the Commission. She spoke about UPMC actions in other areas with negative impacts on the public, including closure of their hospital in Sunbury, PA. She also claimed that UPMC had the 250 College Ave. property reassessed so their tax burden would be decreased, causing a loss in the School District of Lancaster's tax base. She urged the City and the Commission not to view UPMC as a partner based on her claims. Ms. Rojas outlined findings from her organization's research and public outreach, including increasing poverty levels in Lancaster City and a high rate of reliance on Medical Assistance among City residents. Ms. Rojas also urged a reassessment of the term "affordable housing," suggesting that often prices for these homes are still too high for residents. Ms. Rojas voiced support from her organization for uses on the site including a transition center for homeless residents, a facility to address the causes of homelessness holistically, a community garden, and a community-centered government services center. She requested that the Commission recommend that Council deny the rezoning decision and remove UPMC from discussion about the future uses of the site.

Ms. Wenger, a City resident, provided a chart documenting trends in the number of walk-outs from emergency rooms in the City and the rate of accidental deaths in Lancaster County over the span

of 2012 through 2019. Ms. Wenger claimed that the closure of UPMC's facility led to a spike in the number of people being turned away from emergency room care in the City and an increase in accidental deaths. She urged the Commission to avoid any outcome that would limit creative options to meet peoples' needs.

Mr. Rivera, a City resident, expressed concern about the children in the site's neighborhood. He estimated that there are around 10,000 children either living in the neighborhood or visiting its schools and parks. He expressed the community's need for medical facilities in the neighborhood to serve these children and noted that residents are already reporting a longer response time from ambulances since UPMC closed its hospital.

Mr. Beaks, Executive Director of the low-income housing development organization Impact Missions, stated that the site provides great opportunity for community benefit. Mr. Beaks suggested that UPMC knew the facilities were not conducive to long-term hospital use when they purchased the hospital, and still did not invest in making necessary updates despite the organization's large financial capacity. Mr. Beaks then suggested that the City make use of Section 12 of state law to condemn the hospital facility and repossess the site by eminent domain. Mr. Beaks explained his view that the site meets all three criteria for condemnation, and stated that the hospital is currently inoperable, that it is a public health and safety hazard, and that it is in a redevelopment area. Mr. Beaks urged the Commission to declare the property blighted and initiate a condemnation process despite the financial ramifications.

Mr. Druce asked for clarification about the process that might go into condemnation of the property. Mr. Beaks explained that this process gives the City and the community much more time to consider the use of the property, and that through this process, the site might be able to regain hospital use.

Mr. Lyons asked whether Mr. Beaks understands that this process would require very large legal capacity and financial commitment from the City of something like \$8 million. Mr. Lyons also noted the City's current financial restraints. Ms. Bratman thanked both Mr. Lyons and Mr. Beaks and asked that the session continue with comments from others.

Mr. Fisher, a City resident and member of PPF-PA and Lancaster Stands Up, asked the Commission to provide more time, and at least one more month, to community activists. Mr. Fisher noted a large community turnout and recognized that activism led to this high level of engagement. He then urged the Commission to respond to marginalized voices from the community through deep listening and empathy. After sharing from his own experience with being silenced during previous activism work, Mr. Fisher asked that the Commission not create a hierarchy of engagement that privileges the voices of people in power over the voices of others. He then claimed that UPMC is the enemy of a beneficial outcome, rather than the community, and asked that the City do everything it can to avoid being tricked by developers with empty promises. He referenced a development project in New York City in which the developer promised a benefit to the public and the City and subsequently reneged as soon as the City gave the project legal clearance.

Ms. DeGrasa, a City resident, requested that the Commission defer their vote on whether to recommend rezoning. She suggested that the City require a developer to present a plan before a rezoning decision. Ms. DeGrasa referenced her experience managing tax-credit housing and acknowledged the shortage of affordable housing in the City. She supports the MU zoning to achieve affordable housing but urged that the Commission defer the decision in order to allow for more transparency about future developers' plans.

Mr. Hopkins, a City resident, suggested that City staff had rushed into meetings with the potential developers identified by UPMC in an effort to sway the Commission's vote. He then framed the Commission's decision in terms of a choice between supporting the working class and poor of the City or increasing the wealth of the rich within the City.

Ms. Lassanah, a City resident, introduced herself as a local entrepreneur who has invested her time into the City's community. She asked what UPMC might do if the rezoning were rejected. She explained her idea for a micro-farm on the property and requested that the decision-making process regarding future use of the site allow space for input from small-scale entrepreneurs.

Mr. Brooks, a City resident, supported the rezoning. He concluded that the current building will not be reused as a hospital and asked the Commission to consider opening up potentials in the uses of the site rather than letting a vacant lot sit.

Ms. Wright asked Ms. Bratman why the developer had not come to the Commission directly ahead of rezoning. Ms. Wright then suggested that the developers come forward and address the Commission in this way. Ms. Bratman deferred to Mr. Delfs about the precedent for a developer presenting a case for rezoning to the Commission ahead of acquiring the property. Ms. Wright stated that she has seen developers present before the Commission in these scenarios several times before.

Mr. Delfs stated that the standard procedure for decision-making does allow for engagement with the community and developers throughout the process. However, he informed Ms. Wright that although the developer can come before the Commission, this is a voluntary decision that the property owner and the prospective developer must make. Mr. Delfs noted that the developer is not prepared to invest more time and resources into the process until the rezoning has occurred.

Mr. Colon suggested that in this case, UPMC and the developer should come back to the Commission to show the plans before the decision is made.

Mr. Delfs stated that the Commission will have a chance to review plans, but this will happen after the rezoning decision according to the subdivision and land development process laid out in the City's ordinance.

Mr. Colon asked why the Commission would need to decide on rezoning to MU rather than waiting for a developer selected by UPMC to present plans at a later stage. Ms. Wright stated that in the past, developers have come before the Commission to present specific plans and ask for a rezoning. Mr. Lyons voiced disagreement. A resident suggested that the developers create a plan, present it to the Commission, and make the rezoning a condition of completing the final purchase. Ms. Bratman requested order.

Mr. Colon asked UPMC what the next step might be if the rezoning is not approved. Ms. Shank stated they will have to reevaluate the next step and expressed that the property will likely continue to go vacant if a rezoning is not granted. Ms. Shank also clarified that UPMC has been spending hundreds of thousands of dollars on upkeep of the closed hospital every month.

Mr. Delfs clarified that the Commission will still see the preliminary and final plans if rezoning occurs.

Ms. Reidenbaugh, president of 10,000 Friends PA, provided her opinion about the two options she sees are possible for the redevelopment of a site like 250 College Ave. First, the property could sit vacant at length, causing a decrease in the City's tax base and the need for the City to increase taxes for everyone. Second, the redevelopment could lift the whole economy through the provision of good jobs. Ms. Reidenbaugh urged the Commission to prioritize the facts about these two potential outcomes when making their decision rather than deciding based upon emotional appeals from residents.

Ms. Wright expressed that the Commission should think about what might be best for the people living in the City, rather than the interests of City institutions. She also stated that plans for affordable housing should be better defined, since many residents often cannot afford some types of affordable housing.

Mr. Nevin, a City resident, framed the rezoning decision as a choice between social good and corporate control and stressed that many city residents are on the brink of bankruptcy. He requested that the Commission empathize with residents, placing the common good above profit.

Mr. Noll, a City resident, expressed that he does not see maintaining a restrictive zoning district on the site as the right way forward. He noted that the property is very unlikely to be redeveloped into a hospital since it has already failed three hospital systems (St. Joseph's, Lancaster Regional Medical Center, and now UPMC). He requested that the Commission recommend approval of the rezoning.

Ms. Winslow, a City resident and member of PPF-PA, asked that the Commission listen to the City's residents as representatives of the City rather than listening to technical experts. She claimed that UPMC had been given \$750M to make improvements on the hospital when they first purchased the property, but that they did not make enough improvements. She requested that the City bring the site back to hospital use or use the site for transitional housing or a dental care facility.

Mr. Lyons expressed a desire to see a transformational outcome in the redevelopment of the site, including a forward-thinking approach to addressing homelessness issues.

Ms. Kalangelo, member of PPF-PA, the Lancaster Homeless Union and the National Homeless Union, stated that the Commission should be wary of allowing UPMC to benefit to the detriment of the community by referring to similar cases that have occurred in other communities. She acknowledged an ongoing need for hospital services in the community and requested that the Commission use the current zoning district to force a hospital use on the site. She also suggested that the City make UPMC use the state funds they had received to fix the building and allow for continued hospital use.

Mr. Schumaker, a City resident, requested that the Commission recommend rezoning to avoid a continually empty lot with no use. Mr. Schumaker stated that this rezoning is a necessary first step.

Mr. Rosey, a City resident and member of PPF-PA, requested that the Commission recommend denial of the rezoning request. He stated that PPF's preferred uses for the site, including a facility with services to those experiencing homelessness, a community garden, and health service facilities, do not require rezoning.

Ms. Schumaker, a City resident, asked the Commission how much control the City and its residents really have over the redevelopment of the site.

Ms. Bratman repeated the steps in the rezoning process, reiterating that the ultimate decision on the rezoning is with City Council. She expressed that regardless of whether the Commission recommends the approval, they can still provide further recommendations to inform Council's decision. Ms. Bratman also noted that the Commission must consider the financial concerns of the City and other actors in considering its decision.

Ms. Bratman invited Commission members to include further input.

Ms. Ritchey referred to earlier claims from PPF-PA about the money UPMC had received from the State for purchasing the hospital, and asked UPMC to explain the purpose for this money. Mr. Strahel, President of UPMC, explained that the \$750M bond was, like a mortgage, or a tax-exempt debt that UPMC has had to repay the State in full. He stated that this money was never designated toward the rehabilitation of the facility.

Ms. Wright motioned to delay the Commission's vote to allow for further discussion of the issue and clarification of details.

Ms. Bratman stated that, according to her understanding, it was not possible for the Commission to refrain from voting.

Mr. Smith clarified the timeline for the rezoning decision, clarifying that the Commission is not actually required to provide a recommendation to City Council. He also clarified that discussions with the City Solicitor revealed that the Commission's review of the rezoning issue is not tied to a particular deadline.

Mr. Colon asked if the Commission could require the future developer to inform the Commission of its intentions for specific uses on the site.

Mr. Delfs explained that City staff's early meetings with developers served the purpose of gathering as much of this information as possible. He further clarified what was known at the time about each developer's concepts and sketch plans. Mr. Colon asked why the developers had not yet been revealed.

Mr. Lyons moved that the Commission make no recommendation. Ms. Bratman asked that the Commission finish discussing Ms. Wright's initial motion before a new motion is considered.

Ms. Shank explained that developers have not come forward publicly because the planning process for the site's development is ongoing. She expressed concern about what might happen if developers were forced to come forward and present plans publicly, in the case that the plans change in the future.

Mr. Colon suggested there may still be ways to give more information to the public and the Commission rather than less. He expressed that the Commission would like to see some preliminary plans so they can be sure that the developer will not completely shift gears once the rezoning is approved.

Ms. Shank acknowledged Mr. Colon's concerns and reiterated that the Commission will have the chance to review both preliminary and final plans during the land development process.

Mr. Delfs asked the Commission to focus on the question of what the appropriate underlying zone for the site is rather than focusing on questions outside of this scope. He stated that the City Administration's opinion is that MU zoning is appropriate for the site, but that the decision of whether to recommend rezoning lies with the Commission.

Mr. Colon stated that there is a need for the Commission to understand more about the site so they can make informed recommendations to City Council that would satisfy all parties involved in the decision. Mr. Lyons recognized that perhaps the Commission does not yet have enough information to make these recommendations.

Mr. Wade-El, Chair of City Council, asked for clarification regarding the timeline for the rezoning decision process and whether the Commission must make a recommendation decision before the Council can vote. Mr. Smith suggested that the Council may be able to vote without the Commission's input in the case that the Commission chooses to forgo the opportunity to make a recommendation. Mr. Delfs stated that the phrasing in the ordinance about the order of this process is vague. City staff expressed that in the absence of a recommendation from the Commission there is a possibility that the rezoning decision process could not continue. City staff stated that they would ask for clarification from the City Solicitor before providing final answers on these procedural questions.

Mr. Lyons noted that Ms. Wright's initial motion had not been seconded and moved that the Commission make no recommendation. He added that the Commission suggest that the site be used in a transformational way, for low income housing and to address the needs of children and those experiencing homelessness. He defended his motion by stating the need to avoid the situation of other, larger cities with larger homelessness issues and ongoing issues of underserved

children. Mr. Lyons also expressed resistance to the notion that the rezoning decision must happen quickly. He expressed that he would like to see more details before a final rezoning decision is made.

Ms. Bratman requested clarification of the motion's wording, and Mr. Lyons confirmed that the motion was as follows: "That the Commission make no recommendation, and that the Commission recommend the parcel would have a mixed use, to be used in a transformational way, with an orientation for low-income housing, homelessness, and services for children as a priority for the site."

Mr. Lyons further clarified that the motion would serve to express the Commission's desire to learn more about the planned uses for the site before rezoning is approved.

Mr. Druce clarified that the motion would not recommend denial of MU zoning, but would rather pass responsibility for the decision on to City Council. Mr. Lyons stated that his motion would not abnegate the Commission's responsibility, but would rather pass on to the Council the notion that "there's an opportunity for something robustly in the community's interest here."

Mr. Colon seconded Mr. Lyons' motion.

Ms. Bratman called the question and requested that Commissioners voice their votes individually in response to a request for this style of voting from Mr. Stuhldreher.

Mr. Lyons, Ms. Wright, Mr. Colon, and Mr. Polite voted in favor of the motion, and Mr. Modlin, Mr. Druce, Ms. Bratman, and Ms. Ritchey voted against it. The final vote was 4-4, and Mr. Smith confirmed that, according to the Planning Commission Bylaws, the motion was defeated.

Mr. Druce clarified that his vote was based on a desire to avoid vacant properties and a belief that MU is the most intuitive zoning for the site. Ms. Bratman stated that her vote was based on a belief that the Commission has a duty to issue a recommendation to steer development of the 250 College Ave. property. Ms. Ritchey also justified her vote by saying that a recommendation is within the duties of the Commission. Mr. Polite justified his vote in support of the motion by voicing a desire to see more detailed plans from the developer and to provide more time for community input.

Mr. Modlin motioned to recommend rezoning, including the recommendation of Mr. Lyons, "that the Commission recommend the parcel would have a mixed use, to be used in a transformational way, with an orientation for low-income housing, homelessness, and services for children as a priority for the site." Ms. Ritchey seconded the motion, making an amendment to allow that all members of the commission could provide recommended stipulations for the consideration of City Council. Mr. Modlin accepted Ms. Ritchey's amendment.

Ms. Bratman called the question. The motion carried unanimously.

Mr. Modlin moved that the Commission have a one-week period to submit recommendations to Mr. Smith, for Mr. Smith to pass these on to the Council.

Ms. Bratman called the question. The motion carried unanimously.

Mr. Druce underscored that the discussion around this agenda item had revealed the need for a comprehensive planning process. He recognized that residents had gone above and beyond in contributing to the discussion around this issue and stated that a comprehensive plan process would allow for further citizen engagement in amending the zoning map and ordinances. He also recognized that this process is overdue. Mr. Druce then moved to make a formal recommendation to City Council to begin the comprehensive planning process.

Mr. Lyons seconded the motion, and Ms. Bratman called the question. The motion carried unanimously.

Certification of Blight for Vacant Properties – 13 E. New St.

In accordance with the procedures of the Lancaster Property Reinvestment Board, as stipulated by §22-42 of the Code of the City of Lancaster, the Planning Commission was asked to make a determination of certification of blight for the above properties.

Ms. Bratman introduced this matter and called the question. The motion carried unanimously.

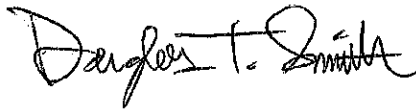
Other Business

None

Adjournment

Having no further business to be brought before the Commission, Chairperson Bratman motioned to adjourn the meeting at 8:56pm.

Respectfully Submitted,

A handwritten signature in black ink that reads "Douglas T. Smith". The signature is written in a cursive style with a large, stylized 'D' and 'S'.

Douglas Smith, Chief Planner