

**LANCASTER CITY PLANNING COMMISSION  
MEETING**

Wednesday, December 18, 2019

**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 November 6, 2019 Meeting
3. Subdivision – 10 E. Vine Street & 109 S. Queen St.

The Lancaster County Convention Center proposes a subdivision of a 358 sq. ft. area from the rear of 109 S. Queen St., which, via a lot add-on plan, will be added to 10 E. Vine St. to create additional parking efficiency.

4. Modification Request – 555 N. Duke St.

Lancaster General Hospital requests a modification from §265-21B.(6)(a) to allow the Emergency Department Temporary Entrance building to exceed the 1,000 sq. ft. threshold for minor plan processing.

5. Petition for a Zoning Map Amendment – 210 College Ave.

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. Other Business
7. Public Participation
8. Adjournment

# Lancaster City Planning Commission Minutes

December 18, 2019

The Lancaster City Planning Commission held a regularly scheduled meeting on Wednesday, December 18, 2019 at 6:00 PM in the Commission Room, Municipal Building, 120 North Duke Street, Lancaster, Pennsylvania.

PRESENT: Eve Bratman, Chairperson; Chris Modlin; Jon C. Lyons; Nelson M. Polite, Jocelynn Ritchey

EXCUSED: Josh Druce, Vice Chairperson; Jose Colon; Lagen R. Wright

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

GUESTS: Shirley O'Leary, Resident; Jose Rivera, Resident; Janet Diaz, City Council; Matthew Rosing, Resident, Member of Put People First! PA; Tammy Rojas, Resident, Member of Put People First! PA; Kevin Molloy, Lancaster County Convention Center; John Hershey, RGS Associates; Eric Fisher, Resident; Brooks Turkel, UPMC Pinnacle; Mark Stanley, McNees Wallace & Nurick; Ben Morton, RGS Associates; Jamie Arroyo, Resident; Laura Proctor, Lancaster County Planning Commission; Carl Feldman, Resident; Bernadette Hohenadel, Resident; Ann Wenger, Resident; Zak Gregg, Resident; Crystal Aungur, Resident; Jeremy Lengan, Resident; Sierra Brennan, Resident; Faith Wally, Resident; Ryan Mumery, Resident; Kareena Rios, Resident; Otis Obriace, Resident; Crystal Zook, Resident; Ismail Smith Wade-El, Resident

## Minutes of the November 6, 2019 Meeting

Chairperson Bratman called the meeting to order at 6:02 PM. Ms. Ritchey motioned to approve the minutes of the November 6 meeting. Mr. Polite seconded the motion and the minutes were unanimously approved.

## Subdivision – 10 E. Vine Street & 109 S. Queen St.

The Lancaster County Convention Center proposed a subdivision of a 358 sq. ft. area from the rear of 109 S. Queen St., which, via a lot add-on plan, would be added to 10 E. Vine St. to create additional parking efficiency.

Mr. Hershey of RGS Associates detailed the history of the lot in the context of development activity around the Convention Center and displayed the plans.

Ms. Bratman asked for more explanation of the physical changes that would be made to the lot.

Mr. Hershey explained there would be no physical change apart from relocating a fence. The new location of the fence would facilitate better circulation, especially for large vehicles using the lot.

Mr. Smith expressed that the project is straightforward from the City staff perspective, and the only additional steps required may be a need for very small stormwater permit for fencing changes.

Ms. Bratman asked about the future of the parcel address. Mr. Smith stated that the small portion of land being subdivided and added to 10 E. Vine St. would assume that same address.

Ms. O'Leary asked about the project's impact on the two neighboring lots, indicating that the lot add-on plan may complicate further development of these lots. Ms. Bratman clarified that the parcel boundaries for surrounding lots would not be impacted by this development.

Mr. Lyons offered the idea that the Convention Center and its neighbors could work out a solution amongst themselves for shared parking on the lot in question. Mr. Molloy clarified that the lot might always need to be locked due to security reasons. No further discussion of parking occurred.

Ms. O'Leary added that the buses that will park in the lot create noise and air pollution that disrupt long-term residents.

Ms. Bratman thanked Ms. O'Leary for her comments and called the question. Ms. Ritchey moved to approve the subdivision via a lot add-on plan, and Mr. Modlin seconded the motion. The Commission passed the approval of the subdivision unanimously.

#### Modification Request – 555 N. Duke St.

Lancaster General Hospital (LGH) requested a modification from §265-21B.(6)(a) to allow the Emergency Department Temporary Entrance building to exceed the 1,000 sq. ft. threshold for minor plan processing.

Mr. Morton from RGS Associates explained the proposed temporary structure's context within a larger emergency department expansion project. He clarified that the request for the modification was made to speed up the approval process, and the context of UPMC's recent closure makes the expansion project more urgent.

Mr. Morton oriented the Commission to the location of the temporary structure and clarified that the approval of the modification is anticipated to speed up the process by at least one and a half months.

Mr. Smith provided context to the modification, stating that the City has granted similar modifications in the past.

Mr. Morton confirmed that the final plan for the full Emergency Room Expansion will come before Planning Commission review at a later date. This plan was a necessary step to prepare for a full expansion.

Ms. Bratman asked why this change was not included in LGH's previous presentations to the Planning Commission about their land development projects, especially the earlier minor plan for a temporary ER expansion at the same location. Mr. Morton explained factors contributing to the expansion of previous plans, including the closure of UPMC.

Mr. Lyons asked Mr. Smith to clarify the definition of a "temporary" structure in the context of these plans. Mr. Smith stated that the structure would have temperature control and all other

amenities, but it would not have a foundation and would only be intended to stand for a few years.

Mr. Lyons asked for details about what the process might look like if the building shifted from temporary to a permanent structure. Mr. Smith clarified that plans for temporary structures go through the same staff review process as a permanent structure.

Ms. Rojas, a City resident, asked LGH if they had completed an extensive study to understand community healthcare needs and also asked the extent to which LGH's plans will be released to the public.

Mr. Morton stated that LGH has completed studies focusing on trends in usage of the emergency department and the effect of the new development of Penn State Hershey's hospital by E. Hempfield.

Mr. Hershey offered to provide quantitative data if requested. Ms. Rojas asked whether administrators had communicated community health needs to the designers of the project. Mr. Morton expressed that the plans consider health trends and community needs.

Mr. Lyons asked Mr. Morton to provide a summary of data used in creating the plans. Mr. Morton stated that the emergency department was seeing at least 100,000 patients per year, even prior to the closure of UPMC, and that most of the patients are city residents.

Mr. Lyons asked whether the Penn State Hershey hospital will have an emergency department, and Mr. Morton stated that he is unsure.

Ms. Rojas asked how the current proposal will fill community needs, especially for emergency patients without access to transportation to go to the E. Hempfield hospital.

Ms. Bratman asked Mr. Morton about vehicular access on Lime St. Mr. Morton stated that access drive changes on Lime St. have been permitted by PENNDOT as temporary changes, and this may change when other access drive changes on Queen St. are reviewed.

Mr. Stuhldreher asked how LGH expects the temporary structure to expand the capacity of the emergency room (ER). Mr. Morton stated that the temporary structure will not expand capacity directly, but will rather serve as a temporary location for the ER waiting area, reception and other amenities.

Mr. Stuhldreher asked when construction would begin, and Mr. Morton stated that it would likely begin in mid-February, 2020.

Mr. Lyons asked about the LGH administration's approach to community engagement outside of formal planning processes. Mr. Morton stated that there have been public meetings at certain points, including a meeting regarding building height prior to a zoning meeting. Mr. Hershey offered that much of the discussion at these meetings focused on the community's dissatisfaction with former renovations made to LGH.

Ms. Bratman brought the question. Ms. Ritchey motioned to approve the modification from §265-21B.(6)(a), and Mr. Lyons seconded the motion. The motion carried with unanimous Planning Commission approval.

Petition for a Zoning Map Amendment – 210 College Ave.

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).

Mr. Stanley, legal representative of UPMC Pinnacle Lancaster, introduced the petition and provided an overview of the review and approval process.

Mr. Lyons asked for the reasoning behind the request to change the zone from HC to MU. Mr. Stanley replied that the HC zoning district allows for limited uses, and that the MU zoning is compatible with the surrounding districts.

Mr. Stanley stated that UPMC expected quick development of the property and have already met with two potential purchasers who expressed interest but will not proceed unless the zoning of the property allows for their intended use. UPMC has encouraged developers to employ a mixed-use concept on the site. Mr. Stanley stated that some comments in a community engagement meeting held by the City of Lancaster on May 20, 2019 supported mixed-use redevelopment of the site.

Mr. Lyons asked whether an Urgent Care or other similar medical facility would be permissible in a MU zone, and Mr. Smith confirmed this.

Mr. Smith presented about the context and legal framework for the rezoning decision, drawing 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.

In the process, Mr. Smith quoted from the 1993 Comprehensive Plan that "The City's zoning provisions, particularly those regulating permitted uses...should be revisited, if necessary, to allow commercial enterprises that are neighborhood oriented...to be located in existing storefronts or nonresidential structures." Mr. Lyons noted that a medical facility could qualify as a commercial enterprise that is neighborhood oriented.

Mr. Smith displayed a summary of the differences in permitted land uses under HC and MU zoning. Mr. Lyons noted that MU is compatible with medical uses. Mr. Smith clarified that while MU allows for many medical uses, only HC zoning allows for medical services at the scale of a hospital.

Mr. Smith's summary of land use permissions showed that if the zoning remains HC, other uses beyond a hospital could still be permitted, and if the zoning were changed to MU, some medical uses could still be permitted.

Mr. Lyons asked whether MU zoning could be amended in the future to include larger scale medical uses, and Mr. Smith stated that nothing in the zoning ordinance prevents that possibility from being considered.

Ms. Ritchey asked Mr. Stanley for information on the future uses being considered for the site. Mr. Stanley stated that UPMC plans to sell the 6.4-acre property as one parcel, and developers have expressed plans for mixed residential and commercial uses.

Mr. Lyons asked whether the full hospital structure would be demolished in planned uses. Mr. Stanley stated that this is a possibility, but that it would depend on the developers' analysis of the site and any demolition would be subject to the approval of the city.

Ms. Bratman asked about the tax implications of UPMC's continued ownership of the site. Mr. Turkel stated that the building is taxed according to its current property value and UPMC has received some tax relief after closing operations.

Ms. Bratman opened the discussion to public comment.

Mr. Rivera, a resident of West Lancaster, asked the Commission to consider the healthcare needs of children and elderly residents in the neighborhood first, especially those from immigrant and refugee backgrounds. He requested that at least one healthcare facility be included within plans for redevelopment, and ideally a freestanding emergency room or urgent care facility.

Mr. Stanley noted that UPMC opened an express care across the street from the site, and Mr. Turkel noted that UPMC opened a family practice at 250 College Ave. soon after the hospital was closed. Mr. Turkel stated that PA laws do not allow freestanding emergency rooms.

Mr. Lyons stated that express care might allow for transfer to a hospital facility for residents without their own transportation, and Ms. Bratman asked whether there is an ambulance dispatch close to the site.

Mr. Turkel stated that Lancaster EMS has a dispatch site nearby in West Lancaster.

Ms. Ritchey asked about UPMC's long-term plans for the express care facility and the family medicine office. Mr. Turkel stated that both offices hold ten-year leases, and that UPMC intends to keep the lease going on these facilities as well as a close-by surgeon's office.

Mr. Fisher, a city resident, noted that transportation to hospital facilities by ambulance is very expensive and should not be considered a feasible option for residents. He then stated that the Planning Commission should use this rezoning process as an opportunity to avoid gentrification and push for affordable housing. He asked that the Commission delay the rezoning to allow for a significant community engagement process within the context of developing the new comprehensive plan for the city.

Ms. Bratman asked city staff about the potential to put a stay on the zoning amendment. Ms. Ritchey asked whether the Commission might wait to rezone until after the property has been sold to a new owner. Mr. Modlin stated that the property should not be expected to sell with its current HC zoning.

Mr. Smith explained the process and timeline for rezoning. Ms. Ritchey asked for further clarification on what input the Planning Commission can provide to City Council along with their recommendation or rejection of the rezoning.

Ms. Bratman asked whether the commission might hold back from recommending the rezoning and ask that the owners return with the petition at a later date. Mr. Smith stated that according to zoning ordinances, the Commission has an opportunity to recommend the rezoning within 45 days of the public hearing at City Council.

Mr. Stanley stated that the cost of re-engineering this site would prevent any purchaser from buying prior to rezoning.

Mr. Delfs reported on the public meeting that happened in May 2019, stating that altogether, seems that the public comments support mixed-use development at 210 College Ave. He then asked the Commission what purpose delaying the decision would serve.

Mr. Smith mentioned that a 45-day review period with the LCPC would be complete before City Council enacts any changes.

Ms. Rojas introduced herself as co-coordinator of PPF-PA. She provided an overview of the hospital site and uses over time and outlined research and community organizing attempts to oppose UPMC. She also noted a trend of UPMC closing hospitals around the state and country.

Ms. Rojas emphasized the personal and spiritual connection of the community to the land and asked the Commission to value the interests of the community over the interest of UPMC. She expressed confidence that the property will sell quickly as soon as it is rezoned but asked for a delayed decision to give the community time to organize so that the development takes community interests in mind.

Ms. Wenger spoke to the need for affordable housing. She stated that she is not against MU zoning, but against rushing a decision. She stated that a fast rezoning decision is in the interest of UPMC, but the community's interest is to have more time to organize. She also noted close community ties to the land.

Ms. Bratman asked UPMC if they would be open to interim uses of the property, to serve community functions, if the activities do not impact property value.

Mr. Turkel stated that UPMC is open to community use of the property, but that hospital space itself is inherently hazardous. The infrastructure within the building is challenging for maintaining safe access for the public. He stated that community uses would require liability insurance for using the property and mentioned an example of a school next door that is using the hospital parking lot while taking on the liability.

A city resident asked Mr. Smith if the principal difference between MU zoning and HC zoning is that MU zoning allows for housing. Mr. Smith stated that this is one primary difference among many other differences in use. The resident posed the question of how to ensure that housing developed in the site is affordable housing rather than high-end housing.

Ms. Bratman asked City staff about the context of the rezoning decision in relation the upcoming comprehensive plan. Mr. Delfs noted that ordinances allow for zoning changes at the site level between comprehensive plans and stated that it is not typical to delay a rezoning decision to wait for completion of a comprehensive plan.

Ms. Bratman asked City staff what a process to look at ways to break up this large parcel might look like. Mr. Delfs stated that this question can be looked at as part of a comprehensive plan process or as part of a land development process.

Mr. Lyons noted that in any event, the parcel would be more flexible as MU rather than HC.

Mr. Stanley stated that so long as the parcel remains HC, any discussion about the future of the site would be bounded by the uses permitted by HC zoning.

Mr. Smith directed commission members to look through a full list of allowed uses for HC and MU zones.

A city resident from W. King St. and former employee at the UPMC hospital mentioned his previous negative experiences with UPMC as both an employee at the hospital and a patient at the new express care facility. He asked that UPMC be removed from the conversation about the future of the property.

A city resident from E. Lemon St. affiliated with PPF-PA stated that this plot of land is a frontline against gentrification in the City and in the State. Mr. Greg also stated that the rezoning decision would set a precedent for what is and is not acceptable in the City, and asked Commission members to avoid development similar to 101 NQ at the site. He asked Commission members to keep affordable housing and those experiencing homelessness in mind as a priority when voting.

Mr. Delfs expressed appreciation for the passionate engagement from the public, and provided an overview of the City's efforts to preserve affordable housing stock and build new affordable housing despite a lack of developer buy-in. Mr. Delfs suggested thinking a bit less about the motivations of the property's seller and more about the needs of the community.

Ms. Rojas stated that the community would like more time to plan for how to avoid middle or high-end development before the rezoning is approved. Mr. Lyons expressed that the engagement between the community, the sellers, and the developers should be framed as a conversation rather than a confrontation.

Mr. Fisher stated that the stakeholders involved need more time to develop tools to address the situation, and that a quick rezoning decision would close the door prematurely.

Ms. Bratman expressed understanding that the community would like time to organize and identify community-minded investors, but stated that the Commission and the City can make no guarantee of affordable housing because this is a federal funding issue.

Mr. Lyons requested that the Planning Commission hold more meetings to discuss structural issues like facilitating affordable housing and parking restraints.

Mr. Stuhldreher asked whether deciding now or waiting to act would give the community more leverage.

Mr. Stanley reiterated that the decision is part of a process, and that the decision would allow a potential developer to work with the city and look at the potential uses rather than being confined by the HC zoning.

Mr. Lyons moved to recommend approval of the petition to change the zoning of the parcel from HC to mixed use, with the recommendation that the Planning Commission encourages the Lancaster County Planning Commission (LCPC) and City Council to seriously consider the needs of the surrounding community.

Mr. Smith clarified that the Commission does have the ability to submit recommendations along with its decision and offered assistance in articulating these to LCPC and City Council. Mr. Smith also reiterated that there is a 45-day period before the Commission would need to vote, with two regularly-scheduled meetings during this period.



Mr. Lyons withdrew his first motion and moved to postpone the vote to January 15<sup>th</sup>.

Mr. Delfs asked for clarification on what would help the Commission vote on the 15<sup>th</sup>. Ms. Bratman expressed that the presence of absent Commission members would be one enabling factor.

Mr. Polite seconded the motion brought by Mr. Lyons.

Mr. Lyons reiterated that the Commission is concerned about the impact of the rezoning decision on the community.

Ms. Bratman called the question, and the passed the motion to delay a vote on recommending the zoning modification with a vote of 4-0, with an abstention from Mr. Modlin.

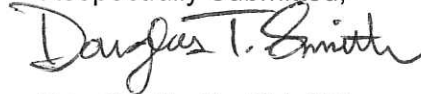
#### Other Business

Mr. Smith noted that the Planning Commission has one vacancy and there may be news about this soon.

#### Adjournment

Having no further business to be brought before the Commission, Chairperson Bratman motioned to adjourn the meeting at 8:40pm.

Respectfully Submitted,

A handwritten signature in cursive script that reads "Douglas T. Smith".

Douglas Smith, Chief Planner