

COUNCIL SPECIAL WORKSHOP MEETING MINUTES MARCH 13, 2008

President Edwin Peterson called the meeting to order at 4:00 PM with the following Councilors present: Ms. Holliday Giles, Mr. Theodore Streeter, Ms. Caroline Smith, Mr. John Butterfield, Ms. Susan Naugle, Mr. Robert Krummerich, Ms. Alice Estrada and Mayor William Troxell. Mr. Michael Birkner Was absent. Staff included Borough Secretary Sara Stull, Solicitor Harold Eastman, and Planner Merry Bush.

Others present included Thomas Comitta of Thomas Comitta Associates, David Sites, Realtor, Attorney Gary Hartman, Jeff Zeigler, KPI Engineers, Erik Hume, McNees Wallace & Nurick, Peter North, Gettysburg College representative, Ed Jenkins, PICPI, John Spangler, Gettysburg Seminary, Judie Butterfield, 999 Sunset Avenue, Stan Clark, 915 Fairview Avenue, Dominic Picarelli, 106 N Howard Avenue.

Representing the press were Scot Pitzer of the *Gettysburg Times*, Erin James representing the *Evening Sun* and Max Stevens with *WGET*

Mr. Butterfield read a prepared statement announcing that a newly formed AD HOC committee held a meeting where a quorum was present and as a result anything discussed during that meeting will not be considered. Ms. Estrada expressed her concern that she wasn't aware of the AD HOC committee meeting. Mr. Peterson apologized for the misunderstanding.

Solicitor Eastman announced the special meeting today was duly advertised and the purpose of conducting a workshop session with its consultant, Thomas Comitta, is relative to the proposed amendments to the Gettysburg Borough Zoning Ordinance and the Gettysburg Borough Zoning Map and for the purpose of taking any further action in connection with the said proposed zoning ordinance and zoning map amendments.

Thomas Comitta gave a brief overview of the proposed Comprehensive Amendments to the Gettysburg Borough Zoning Ordinance (12th draft) and Amendments to the Official Zoning Map of the Borough of Gettysburg relative to the creation of a Streetscape Enhancement Overlay District, and Elm Street Overlay District, and INS-2 Institutional Overlay Districts and the change of Zoning Districts of certain properties in the RO Residential Office District and the R-2 Moderate Density Residential District to the OT Old Town District and certain properties in the IND Industrial District to the GC General Commercial District.

Mr. Comitta noted the zoning map issues are the ROR District boundaries, Old Town District boundaries and INS-2 District boundaries. He pointed out that at a previous meeting it was discussed to what extent the INS-2 District should extend. The Seminary is concerned with student housing and many residents sent letters of concern as well. Mr. Comitta noted he reviewed all letters and comments and would recommend Borough Council not get into institutional overlay districts at this time.

Ms. Naugle felt the residents gave a very compelling argument for keeping those areas, near the college and Seminary, as they are now.

Ms. Giles would favor the college to be able to complete projects as they want pertaining to student housing. We're not calling it student housing but the ability to house students. The intent of the updated code is to pull students back toward campuses. Mr. Comitta said by extending the Old Town District as on the map would cover the College area, it would allow student housing in the R-2 District. Ms. Bush pointed out the INS District already permits dormitories, including sororities and fraternities.

Peter North asked for a clear definition of student housing. He noted the college isn't interested in building dormitories outside the district. Mr. Comitta explained the owner is responsible for student housing, must be 21 years of age and live in the house. Ms. Estrada pointed out students generally behave better if college owns property. Mr. North felt the age limitation was not necessary since the landlords have supervision/management of the properties.

Peter North said changes would preclude college from housing students in R1 and R2 Districts. Mr. Comitta responded the Planning Commission recommended repealing student housing in the R2 District and asked if they wanted this restored. Mr. North suggested considering housing owned by college. Ms. Naugle noted the area around the college would need to be considered. Mr. Butterfield suggested allowing student housing in the R-2 District by special exception. Ms. Giles responded this was handled like this in the past and the college was happy with it. Mr. North responded yes but the predatory landlords will have a problem with it because they are only interested in making money from students.

Attorney Gary Hartman asked if the ordinance defines how to get a special exception. Solicitor Eastman responded the permitted use as outlined in the ordinance would be followed.

Mr. Comitta noted there have been questions and concerns with the building height requirements; the 45 foot height may be too high, should it be 40 feet. Mr. Streeter pointed out the interior could be different depending on room height sizes. Ms. Naugle expressed concern that 60 feet is too high in the Old Town and would suggest lowering it. Ms. Bush noted that reducing side and rear yards would encourage spreading out instead of going up.

Ms. Estrada expressed her concern about discouraging businesses; we should be promoting business. The developers should be allowed to go up 4 stories if they chose. Mr. Butterfield pointed out it's the height rather than the number of stories in a building. Attorney Hartman urged the committee not to take Old Town below 50 feet as this would be difficult for contractors to meet all building codes. He also noted it's important to keep the streetscape in a nice order.

Ms. Naugle noted the 45 foot was an acceptable height at the REDDI project. David Sites pointed out the REDDI project can use the width to construct and won't need the height. He did agree that 60 feet is too high for the Old Town District and would recommend 48-50 feet to be acceptable. Solicitor Eastman noted the standard is a 4 story building not to exceed 40 feet.

Mr. Comitta recommended removing the 4 stories from the ROR District and maintaining the height at 60 feet for the Institutional and Healthcare Districts. Everyone agreed to increase the R1 District height to 45 feet and the ROR District to 45 feet.

Mr. Comitta reported there have been some concerns in regard to build-to line measurements. He suggested using the property line. Jeff Zeigler noted his firm uses the back of the sidewalk to measure and agreed it should be changed. Ms. Bush pointed out some property lines is not accurate and that could be an issue. Mr. Comitta noted other municipalities use the curb line so there won't be a need to research the property lines.

Ms. Naugle expressed concern with distances—porches, steps, lights, trees etc. we need to make sure they're ADA compliant. Mr. Comitta responded this is a good point as the build-to lines may vary up to 4 feet because of these issues. Ms. Giles pointed out citizens need to be more creative in placing ADA compliant ramps. David Sites pointed out new construction must follow ADA regulations.

Mr. Comitta pointed out some minor inconsistencies in the ordinance. His recommendation would be to take out guest houses in the R1 District, change veterinary hospital and animal hospital to veterinary hospital in the GC District, Churches are allowed in 6 Districts and should be changed to places of worship.

Alice Estrada asked that "granny flats"/mother-in-law suites be a use by right in the residential districts.

Mr. Comitta announced the next step would be for Borough Council to schedule a Public Hearing. Solicitor Eastman noted Council would need to have a minimum of 30 days for public review time.

Borough Council instructed Solicitor Eastman to advertise the Public Hearing on Monday, May 5, 2008 at 4:00 pm. Council plans to make a decision regarding adoption at that meeting.

With no further business to come before Council, moved Ms. Giles, seconded Mr. Streeter to adjourn the meeting at 5:40 pm.

Respectfully submitted,

Borough Secretary
Sara L. Stull