

BOROUGH OF GETTYSBURG
59 EAST HIGH STREET, GETTYSBURG, PA 17325
COUNCIL WORK SESSION MINUTES
AUGUST 27, 2018

President Susan Naugle called the meeting to order at 7:00 PM with the following Councilors present: Mr. Charles Strauss, Mr. Wesley Heyser, Mr. Christopher Berger and Mr. John Lawver. Vice President Jacob Schindel and Ms. Patricia Lawson were absent. Staff present included: Borough Manager Charles Gable; Borough Secretary Sara Stull; Borough Solicitor Harold Eastman; Planning Director Becky LaBarre; Finance Director Nickie James; Parking Manager Richard Miller; Interim Public Works Director Robert Harbaugh; and Chad Clabaugh, Borough Engineer, C. S. Davidson, Inc.

Others present include: Deb Adamik, President, Main Street Gettysburg; Robin Fitzpatrick, President, Adams Economic Alliance; Mike Shestok, 264 Baltimore Street; Sue Cipperly, 314 North Stratton Street; Nancy Kramer, 12 Wade Avenue; Marie Davis, 831 Johns Avenue; Arthur Thies, 48 Chambersburg Street; and Becka Fissel, Gettysburg Parking Enforcement Officer. Representing the press was Jim Hale with the *Gettysburg Times*.

Public Comment:

Mike Shestok, 264 Baltimore Street expressed his concerns regarding the possibility of closing a portion of Culp Street to use for events. He asked Council to speak with the fire department in regards to safety issues before making and decisions. Mr. Shestok suggested another possibility may be to use the former Hardee's Restaurant vacant lot for events. Mr. Shestok said that he was glad that Council and the school board are meeting to discuss LERTA.

Sue Cipperly, 314 North Stratton Street presented Council with her comments regarding proposed zoning text amendments involving the ROR and multiple Residential Zoning Districts (see attached).

Old Business:

PBS 2018-4 Chapter 15 Parking Revisions – Parking Manager Miller recommended one use be removed from the parking ordinance for special loading and unloading purposes. He noted that the current ordinance is not stringently defined which has caused issues and creates uncertainty, and has complicated enforcement of those meters.

Council agreed that there should be three sections for permitted uses for parking meter bag rentals; short term, monthly and special events. Council consensus was that rules remain unchanged for buses, people and businesses in the process of moving in or out, and churches including weddings and funerals. They also agreed that bag use remain in place for hotels and bed-and-breakfasts, but that vacation rentals such as Airbnb should not be included. Also, rules regarding contactors should be tweaked so that bags are removed when construction is not taking place. Council suggested removing the Mayor from voiding tickets now that there is a parking manager that can manage parking complaints.

Council agreed that a motion be placed on the September Council agenda to authorize the solicitor to prepare a draft of the recommended parking ordinance changes.

PBS 2017-2 Rezoning – ROR District – President Susan Naugle reviewed the red-lined version of the draft ordinance changes with Council members. After discussion on the height of a building at the Gettysburg Station property, Council consensus directed Borough staff to prepare three ordinance amendment drafts including maximum heights of 60, 72, and 84 feet, plus 12 more feet for mechanicals. The current limit in the ROR District is 45 feet. President Naugle asked staff to reach out to the county, who helped formulate the height increase proposal to review the technical aspects of the reduced increases. This will be placed on the September Council agenda to select one of the drafts and set a date for a public hearing.

PBS 2017-1 – Local Economic Revitalization Tax Assistance (LERTA) Program– President Susan Naugle reported that Council is in conversation with the Gettysburg Area School District (GASD) to discuss changes to the abatement schedule.

Robin Fitzpatrick, President, Adams Economic Alliance noted that there are some members of the school board that expressed concern with the smaller parcels within the designated area. She said that some feel the LERTA could be used for these separate parcels which they are not in favor of.

PBS 2016-38 – RFPs for Professional Services – Finance Director Nickie James reported that there were six proposals received for auditing services. She suggested that a committee consisting of two Council members, Manager Gable and herself, to review the proposals and present to Council. Councilman Lawver offered to serve on this committee. President Naugle will seek another Council member to also serve on the committee.

PBS 2018-1 –MS4 Funding Pollution Reduction Plan (PRP) – Manager Gable reported that staff has begun to draft the rules and regulations. This will be presented to Council at the September Work Session meeting for further discussion.

Internship Program – Manager Gable reported that the Association for Pennsylvania Municipal Management (APMM) has the Charlie Sterner Internship Program available that would pay 50% of the cost of compensating an intern. The internship provides students with the opportunity to apply the knowledge they've learned in their courses, and to learn about the many opportunities offered in a career in municipal management. Manager Gable said that if Council is interested in this program it could be placed in the 2019 budget.

New Business:

Subdivision and Land Development Ordinance (SALDO) – Borough Engineer Chad Clabaugh explained that this ordinance hasn't been updated in ten-years, and that he is currently working on preparing a draft for Council to review.

A motion will be placed on the September 10th agenda to set a public hearing on November 5th at 7:00 PM, as required by the Pennsylvania Municipalities Planning Code concerning proposed amendments to the Gettysburg Borough SALDO.

Comprehensive Plan – PC Recommendations – Planning Director Becky LaBarre reported that there wasn't a quorum at the Planning Commission meeting so this was tabled.

Public Comment:

Arthur Thies, 48 Chambersburg Street expressed his concerns about many of the downtown parking spaces bagged for loading and unloading or construction making it difficult for tourist and residents to park. It also causes difficulty for people with mobility issues to find parking near their destination when the handicapped spaces are full. He also was disappointed that several benches were removed from areas of Lincoln Square. Mr. Thies said that many senior citizens enjoy sitting on these benches.

Planning Director Becky LaBarre explained that the benches were removed due to recent construction at Open Minds in the southwest corner, and said that they will be replaced in the near future.

Marie Davis, 831 Johns Avenue expressed her concern with the potential closing of a block of Culp Street, which would divert more traffic onto Johns Avenue. Ms. Davis noted that there are farmers markets in other areas of town and that she doesn't believe a market on Culp Street is beneficial.

Solicitor Eastman explained that Borough Council would need to conduct a public hearing before anything could be done with Culp Street.

Sue Cipperly, 314 North Stratton Street noted that with the proposed amendment also includes raising the borough-wide height limit from 45 to 48 feet. She said that a building of that height would be out of scale with one and two-story homes in most areas. Council members responded that some homes in particular areas may already be 40 feet high.

President Susan Naugle adjourned the meeting at 9:45 PM.

Respectfully submitted,



Sara L. Stull
Borough Secretary

Date: August 27, 2018

To: Gettysburg Borough Council

From: Susan Cipperly, Gettysburg resident

Re: Comments regarding proposed zoning text amendments involving ROR
and multiple Residential Zoning Districts (Chapter 27)

I attended the Public Hearing on August 13, 2018, listened to the concerns and comments from those in attendance, and I have some follow-up comments. I have tried to follow the order in which the changes appear in the proposed amendment. My overall concerns are that inadvertent impacts on some districts may result from trying to solve an issue in the ROR district, and that long-term impacts could result from changing the architectural and streetscape qualities in Gettysburg.

Residential Building Height:

The current building height allowed in the R1, R-1A, R-2, and RO districts is **45 feet**. An increase to **48** feet in height is proposed in all of these zones. This may be an attempt to quantify height in terms of 12 feet per story, and have the specified height come out to a full story. It is not clear that any analysis of existing building heights was performed in making these recommendations. It is also not clear that there have been variance requests for a height of more than 45 feet in these residential zones to justify such a broad spectrum change.

The R-1 zone includes:

Ward 3 Colt Park and areas off W. Middle St. – currently 1–2 story houses (<30' height).

Ward 1 North of Coster Ave, east of Stratton and along E Broadway -- 1-2 story houses

Ward 2 Broadway – larger homes, many Victorian style, possibly 3 stories, but still < 40 in general

Most of the R-1 zoning district lies outside of the Streetscape Enhancement Overlay (SEO) District, so there is no protection from having a building 48' in height next to a single-story home. None of the R-1 lies within the Historic District.

R-2 Zoning is comprised of the areas in each ward containing older homes, at the periphery of the downtown areas and Residential Office zones. Existing structures generally include houses of 1-story to less than 3 full stories and apartment buildings of 3 stories in height.

If the proposed height increase is adopted, there could be a 48' tall apartment building constructed next to a 2-story residence (24-30'), with a 5-foot side setback – even with the protections of the SEO.

The RO Residential Office district lies along Carlisle Street, Baltimore Street, Chambersburg Rd., and York Street, and consists primarily of structures that are residential in character, used either for residential, office, or commercial activities.

Again, there could be a compatibility issue with a full 48' height next to an existing smaller structure. Some of the RO lies within the SEO, but the Chambersburg Road area does not. The RO districts tend to be either entryways to Gettysburg or on Baltimore Street – all areas where character is important and excessive height relative to existing structures can have an impact.



This building at 11th and V Streets NW is the primary target of pop-up stories.

Last week, DC's Office of Planning (OP) submitted recommendations to the Zoning Commission that, if approved, would lower the allowable height of rowhouses in the city's R-4 districts to 35 feet, five feet less than the current limit of 40 feet. The proposed change is largely aimed at reducing the number of "pop-ups" that have become more prevalent in the city.

Pop-ups, two- or three-story additions that are often much taller than homes on the rest of the block and, according to the OP, "frequently designed out of character with the remaining homes in style, materials and scale," would be curbed by regulations that make them more difficult to build, if the Zoning Commission adopts the recommendation. The OP suggested "early, if not most" of the pop-ups were in the R-4 zone, and suggested that zone be the target of the regulations.

In an analysis, the OP found that 64.4 percent of the city's rowhouses fall at or below a height of 35 feet, so that's where they set the maximum allowable height. The new rules would allow rowhouse heights of 40 feet, but only with a special exception from the Board of Zoning Adjustment. OP also recommended changing the definition of mezzanine, or the space between floors, so it is included in calculating a building's height.

Washington, DC example of inadvertent impact of height regulation changes meant to address an issue elsewhere in the city, but resulting in "pop-ups" in existing residential areas.

Efforts planned to correct this.

Residential Heights elsewhere:

Harrisburg, PA – The equivalent of R-1 has a 36-foot height maximum
The equivalent of R-2 has a 45-foot maximum.

DEVELOPMENT STANDARDS							
7-307 Attachment 1							
City of Harrisburg Development Standards							
Development Standards							
Zoning Districts	Minimum Lot Area and Density	Minimum Lot Width at Lot Frontage	Front Yard Setback	Minimum Rear Yard Setback	Minimum Side Yard Setback	Maximum Impervious Lot Coverage	Principal Building Height and Width
Open Space Recreation (OSR)	2,000 square feet	20 feet	15 feet	15 feet	5 feet each	30%	Height: 45 feet maximum
Low Density Residential (RL)	5,000 square feet or 8,000 square feet for nonresidential uses 4-8 dwelling units per acre	50 feet for residential uses or 80 feet for nonresidential uses	Minimum of 20 feet or shall conform to existing prevailing setback	15 feet	5 feet each	50%	Height: 36 feet maximum Width: no greater than 20% of prevailing width on block
Medium Density Residential (RM)	1,500 square feet per dwelling unit or 3,000 square feet for nonresidential uses 8-20 dwelling units per acre	20 feet	Shall conform to the existing prevailing building setback within the block, or minimum of 5 feet where no such setback is prevailing	10 feet	4 feet each except 0 feet at the shared lot line of lawfully attached dwellings	70%	45 feet maximum height Width no greater than 20% of prevailing width on block

Frederick, MD – Mostly 40' for residential. Multi-family and townhouse are 45'

(A)	(B)	(C)	(D)	(E)	(F)
Zoning District	Minimum Lot Size (square feet)	Maximum Density	Minimum Frontage (feet)	Maximum Building Height (feet)	Minimum Street (feet)
RT	10,000	0.2	30	40	20
RA Single-Family Dwelling	6,000	4.0	40	40	25
RB Single-Family Dwelling	7,000	6.0	50	40	25
RP Single-Family Dwelling	9,000	8.0	50	45	25
Quaker Dwelling	4,000	8.0	40	40	25
Townhouse Dwelling	1,800	8.0	20	45	10
Multi-Family Dwelling	16,333	8.0	50	45	25
RPA Single-Family Dwelling	1,000	12.0	50	40	20

Source: Ordinance 47.01

ROR District:

After listening to the comments at the public hearing on August 13, 2018, it seemed appropriate to consider the role the specific area involved has played in the history of land use in the borough. When the rail line was constructed, several lumber yards, warehouses, and other uses that needed the rail line were situated along both sides of the tracks. It became a dividing line between the commercial, downtown uses, and the residential and college uses to the north along Carlisle and Stratton Streets. While the rail line may still serve some industrial uses, truck transport has supplanted rail to a great degree.

Today, along Carlisle St. north of the tracks, there are a funeral home, consultants, and small commercial uses in the Old Town district, and another funeral home in the OR district. These uses exist primarily in buildings that were formerly residences, so they fit in with the character of the historic neighborhood and streetscape. Along Stratton Street, there is a residential zone, with single-family, duplex, and senior housing structures, but no apparent commercial uses.

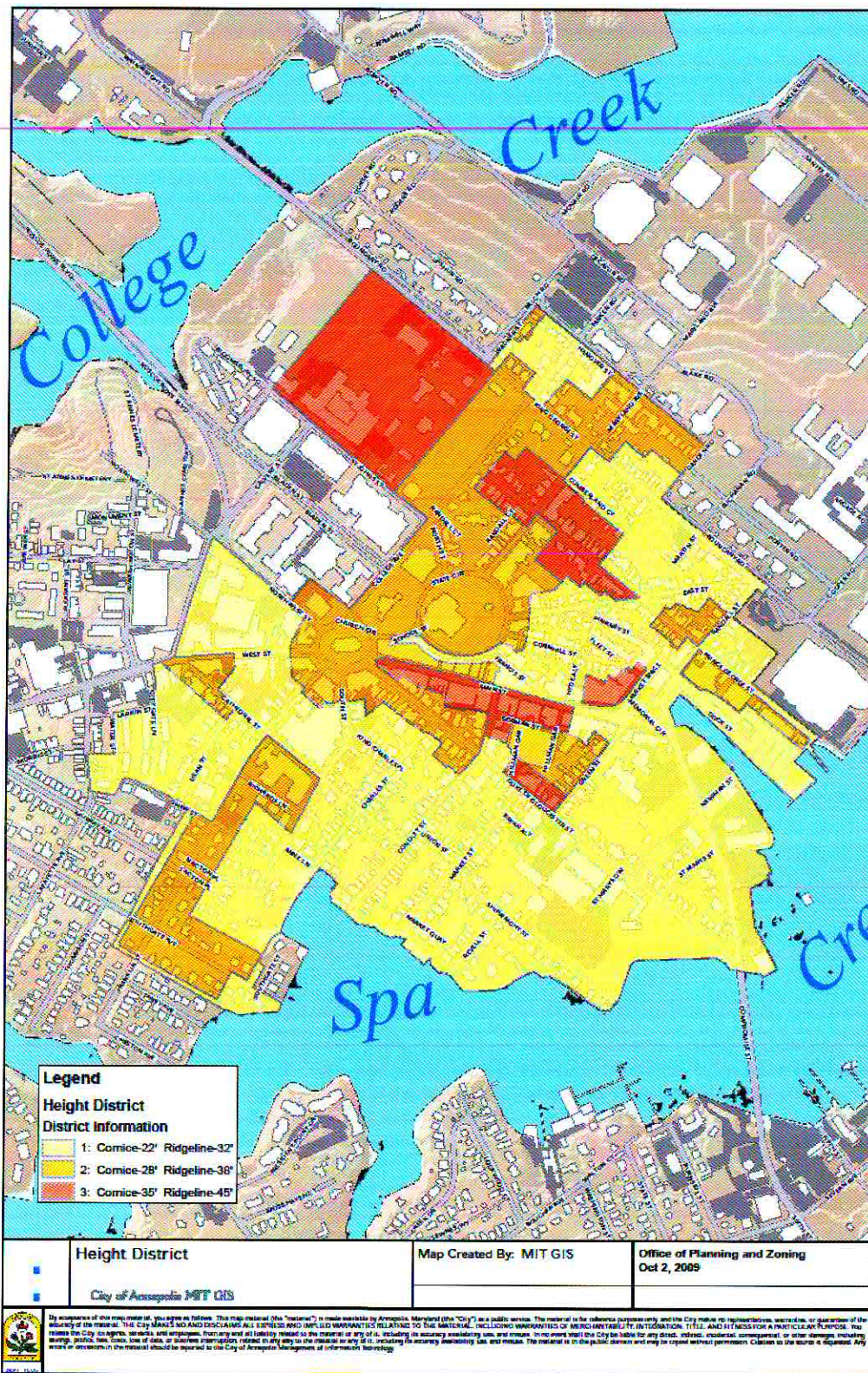
When faced with developing an entirely new structure(s) on a currently vacant site, the past history of the site as a margin between two disparate uses plays a role. It can serve as a transition between these neighborhoods by providing mixed-uses and by being mindful of the surrounding building heights and the fact that people live in the adjacent houses. The stepped approach suggested by the Adams County Planning Office could be useful in accomplishing a transition in height; however, the concept of having a potential 84' height plus mechanicals to 96' appears excessive. As mentioned earlier, the existing adjacent structures are two-story residential buildings of heights generally less than about 35 feet. Changing the maximum height to 48' does not change what exists.

I have researched the stepped concept and believe it could serve the situation well – but with a maximum height of 60' plus mechanicals (or work them into stepped structure), and a 48' height maximum next to the street and any neighbors. Perhaps the height nearest residential uses could be lower than 48'. The 5-foot side setback should be increased so as to reduce impacts on neighboring properties enjoyment of their backyards, in particular, and reduction of shadows cast on those properties by the new buildings.



Levi Strauss HQ in San Francisco, built into a sloped area, views of Coit Tower and SF Bay were considered.

http://www.foundsf.org/index.php?title=Levi%27s_Plaza



Building heights in another historic downtown

— Annapolis, MD. Note allowed heights in legend.

32'

38'

45'