

August 17, 2015
Planning Commission Minutes
Borough of Gettysburg

Vice Chair Sarah Kipp called to order the Monday, August 17, 2015 meeting of the Gettysburg Borough Planning Commission at 7:00 PM at the Borough Building, 59 East High Street. Those in attendance were: Commission Members Martin Jolin, Mike Shestok, and Dominic Picarelli; Planning Director Scott Dellett; and Borough Management Assistant Karen Mesher. Others in attendance were: Ron Garis of PJ Martin Engineering and Pastor Mark Chester, both representing Gettysburg Foursquare Gospel Church, 328 West Middle Street; and Jim Hale of *The Gettysburg Times*; Commission Member Rad Schultz and Borough Engineer Chad Clabaugh were absent.

Agenda and Minutes

The meeting agenda was accepted as published. Ms. Kipp moved to approve the June 15, 2015 minutes as presented with the following corrections to page 2: changed "William Mayer" to "Wayne Mayers". Mr. Dominic Picarelli seconded, and the motion was approved 3-to-0 with 1 abstention.

Public Comment for Items Not on the Agenda

There was no public comment.

New Application

ZHB-15-03 International Church of the Foursquare Gospel, 328 West Middle Street, Request for Special Exception under Section 27-1304, Location of Parking.

Applicant requests the grant of a special exception under Section 27-1304(1), Location of Parking, of the Borough Zoning Ordinance. The property is located in the R-2 Moderate Density Residential and Streetscape Enhancement districts. The Planning Commission is requested to review this application and forward a recommendation to the Zoning Hearing Board pursuant to Section 27-1703 of the Borough Zoning Ordinance. The application was submitted to the Planning Department on August 3, 2015. The Borough Zoning Hearing Board will hold a public hearing on the variance request on Wednesday, August 26, 2015 at 7:00 PM in Council Chambers.

Mr. Dellett gave an explanation of Section 27-1304.1 which addresses the special exception request for the Location of Parking as described in his memorandum dated August 13, 2015:

"Required off-street parking spaces shall be on the same lot or abutting lot of the principal use served in all districts, unless the applicant obtains a special exception and proves to the satisfaction of the Zoning Hearing Board that a guaranteed long-term method of providing the spaces is available using an area of a lot within 500 feet of the entrance of the principal use being served. Such method may involve a deed covenant allowing use of the spaces during peak hours of need, or a lease extending 20 years or for the life of use of the property, whichever is of shorter duration.

Section 27-1704.B of the Borough Zoning Ordinance states the applicant that requests approval of a special exception shall provide evidence to the Zoning Hearing Board, which shall hear the applicant on Wednesday, August 26 at 7:00 PM in Council Chambers.”

Mr. Dellett further explained that under Section 27-1703 of the Borough Zoning Ordinance, the Planning Commission is reviewing this application and provide a recommendation to the Zoning Hearing Board. The Commission will review the deficiency of spaces based on the number of total seats, which is five seats for every parking space.

Mr. Ron Garis gave a brief presentation and answered any questions from the Commission. He said that there is a parking agreement with the Adams County Office of the Aging, located at 318 West Middle Street, to provide 20 extra parking spaces and to be compliant with any Borough of Gettysburg parking requirements (see attached Parking Lease).

Ms. Kipp asked about the parking hours at the Office of the Aging. Mr. Mark Chester, Pastor of the Gettysburg Foursquare Gospel Church, said that the hours of operation for the Office of the Aging are Monday – Friday, 9 AM to 5 PM, and that they do not need parking there on Sundays from 7:30 AM to 1:30 PM. Mr. Picarelli asked if the Office of the Aging needs those 20 spaces. Mr. Chester replied no, not on Sundays. Mr. Dellett said that the Church needs to demonstrate peak use, which is on Sunday mornings. Mr. Garis pointed out that the Church lost five on-street parking spaces because of reconfiguration by PennDOT for the entrance to the Church. Mr. Chester said that they would have parking within 500 feet of the Church with their lease with the Office of the Aging. Mr. Picarelli asked if there would be parking issues if there would be a wedding or a funeral. Mr. Chester said that there are arrangements with Rite Aid and PNC Bank for such occasions. Mr. Jolin said that the parking arrangement makes good sense. Mr. Dellett said that this use is already granted under Section 27-1304(1) and that the seating capacity is the total capacity whether it is during the week or on Sundays. Mr. Jolin recommended approval for the parking arrangement to the Zoning Hearing Board.

Mr. Jolin made the **motion** to recommended approval for the parking arrangement to the Zoning Hearing Board by the Gettysburg Foursquare Gospel Church at 330 West Middle. Mr. Shestok seconded, and the motion passed 4-to-0.

Mr. Picarelli referenced the 90-day time requirement which the above referenced plans must be acted upon as per Act 247 in a letter dated August 13, 2015 (see PJ Martin Engineering Letter). Mr. Picarelli had to leave the meeting.

Revisions to Section 13 of the Zoning Ordinance (Parking, Loading and Unloading)

Mr. Dellett said that the Commission would continue to discuss the revisions to Section 13 of the Zoning Ordinance 27-1302 discussing existing parking requirements, and to review the handout. He said that there is language that needs clarification regarding new or changed uses.

Staff Report

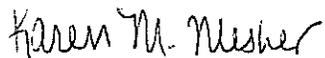
Mr. Dellett said that there was an Open House and Workshop conducted at the Ag Center on August 17th from 3PM to 7 PM. Ms. Kipp had attended and said that they had discussed four surveys. She said that the findings of the Joint Comprehensive Plan could be seen on-line. The next meeting of the Central Adams County Joint Comprehensive Plan Steering Committee will be on September 1st. Ms. Kipp said that the Committee hopes to determine development growth areas in the Borough and in the townships.

Other Business

There was no other business.

Mr. Shestok made the **motion** to adjourn, and it was seconded by Mr. Jolin. The motion was approved 3-to-0. The meeting adjourned at 7:40 PM.

Respectfully submitted,



Karen M. Mesher
Borough Management Assistant



PJ MARTIN ENGINEERING

CIVIL, MUNICIPAL, LAND USE ENGINEERING & DESIGN SERVICES

41 Laura Lane, Gettysburg Pa 17325

Phone (717) 357-2722

August 13, 2015

Gettysburg Borough
Attn: Scott Dellett, Planning Director
59 High Street
Gettysburg, PA 17325

Re: Time Extension of Municipal Review
Preliminary/Final Land Development Plan
Foursquare Gospel Church Expansion

Dear Mr. Dellett,

On behalf of my client, Gettysburg Foursquare Church, I hereby notify Gettysburg Borough that the owner/applicant waives the ninety (90) day time requirement within which the above referenced plans must be acted upon as per Act 247, and extend such review period an additional 65 days until **November 17th 2015**, the day after the regularly scheduled November Planning Commission meeting.

The reason for this request is to allow time for the discovered boundary issue on the westerly edge of the property to be addressed and to complete the necessary Zoning Hearing application processes prior to proceeding further with the land development plan review process.

Thank you for your consideration in this matter. Do not hesitate to contact me if you have any questions or concerns regarding this matter.

Kind Regards,

Peter J. Martin P.E.
PJ Martin Engineering

cc: Mark Chester, Head Pastor of Gettysburg Foursquare Church

Parking Lease

This Agreement entered into this _____ day of _____, 2015, by and between the ADAMS COUNTY OFFICE FOR AGING, of 318 West Middle Street, Gettysburg, Pennsylvania 17325 (hereinafter referred to as "LESSOR"), -AND- GETTYSBURG FOURSQUARE CHURCH, having an address of 328 West Middle Street, Gettysburg, Pennsylvania 17325 (hereinafter referred to as "LESSEE").

WHEREAS, Lessor is the owner of real estate improved with an office building and parking area located at 318 West Middle Street, Gettysburg, Pennsylvania, 17325; and

WHEREAS, Lessee is the owner of real estate located at 328 West Middle Street, Gettysburg, Pennsylvania 17325, and intends to improve the existing building, requiring additional parking spaces; and

WHEREAS, Lessee desires to lease twenty (20) parking spaces located in and upon the real estate of the Lessor at 318 West Middle Street.

NOW, THEREFORE, for and in consideration of the sum of ONE (\$1.00) DOLLAR, and the consideration listed herein, the sufficiency of which is hereby acknowledged by Lessor, and the parties intending to be legally bound, agree as follows:

1. Parking spaces Lease. Lessor agrees to rent twenty (20) parking spaces to Lessee. Said parking spaces are located at the Middle Street property and are more fully delineated on Exhibit "A" attached hereto and incorporated herein by reference. The lease of spaces on a regular basis of one (1) day per week, Sundays 7:30am-1:30pm and additional special events on an irregular basis.
2. Term. The term of this Lease shall commence upon completion of construction at 328 West Middle Street, Gettysburg, Pennsylvania after approval of the special exception and variances by the Gettysburg Zoning Hearing Board and shall expire twenty (20) year from that date.
3. Rent. Lessee shall pay rent to Lessor on the first day of every month in the amount of \$ 1 per month commencing the first month of building completion.
4. Use of Property. The Lessee may use the parking spaces for parking in the spots designated on Exhibit "A" only unless otherwise agreed upon by the Lessor in writing.
5. Eviction. If the Lessee does not pay the rent within fifteen (15) days after it is due, this Lease may be terminated by Lessor. The Lessor may also evict the Lessee if the Lessee does not comply with all of the terms of this Lease and for all other causes allowed by law. If terminated, the Lessee must also pay all costs, including reasonable attorney fees related to the eviction and the collection of any moneys owed to Lessor.
6. Payments by Lessee. If the Lessee fails to comply with the terms of this Lease, the Lessor may take any required action and charge the cost, including reasonable attorney fees, to the Lessee as additional rent. Failure to pay such additional rent upon demand is a violation of this Lease.

7. Care of the Parking Spaces. The Lessee has examined the parking spaces and is satisfied with their present good condition. The Lessee agrees to maintain the parking spaces in as good condition as they are at the start of this Lease, except for the ordinary wear and tear. The Lessee must pay for all repairs, replacements and damages caused by the act of neglect of the Lessee or the Lessee's tenants who will be using the spaces.
8. Sublet, Assignment of Lease. Lessee shall not be permitted to sublet this Lease or assign this Lease in any way. The Lease is not transferrable and shall automatically terminate upon the transfer, sale or conveyance of the Lessee's interest in the West Middle Street property.
9. Renewal. This Lease is not renewable without the written consent of both parties.
10. Indemnity/Hold Harmless. Lessee shall indemnify and hold Lessor harmless for any liability or damage caused by Lessee or its tenants who utilize said parking spaces. The Lessor is not liable for loss, injury or damage to any personal property unless it is due to the Lessor's act or neglect. The Lessee shall repay to the Lessor any money spent by the Lessor due to the Lessee's act of neglect. The Lessee must pay for all acts or neglect of its tenants using the space.
11. No Waiver. The Lessor's failure to enforce any agreement in this Lease does not prevent the Lessor from enforcing the agreement as to any later violations.
12. Recording. This agreement shall not be recorded.
13. Special Exception and Variance Contingency. The Parking Space Lease Agreement is specifically subject to and contingent upon Lessee's receipt of a special exception and/or variance approval under Section 1304 and 1305 of the Zoning Ordinance from the Borough of Gettysburg Zoning Hearing Board.

IN WITNESS WHEREOF, and intending to be legally bound hereby, the parties have hereunto set their hands and seals first above written.

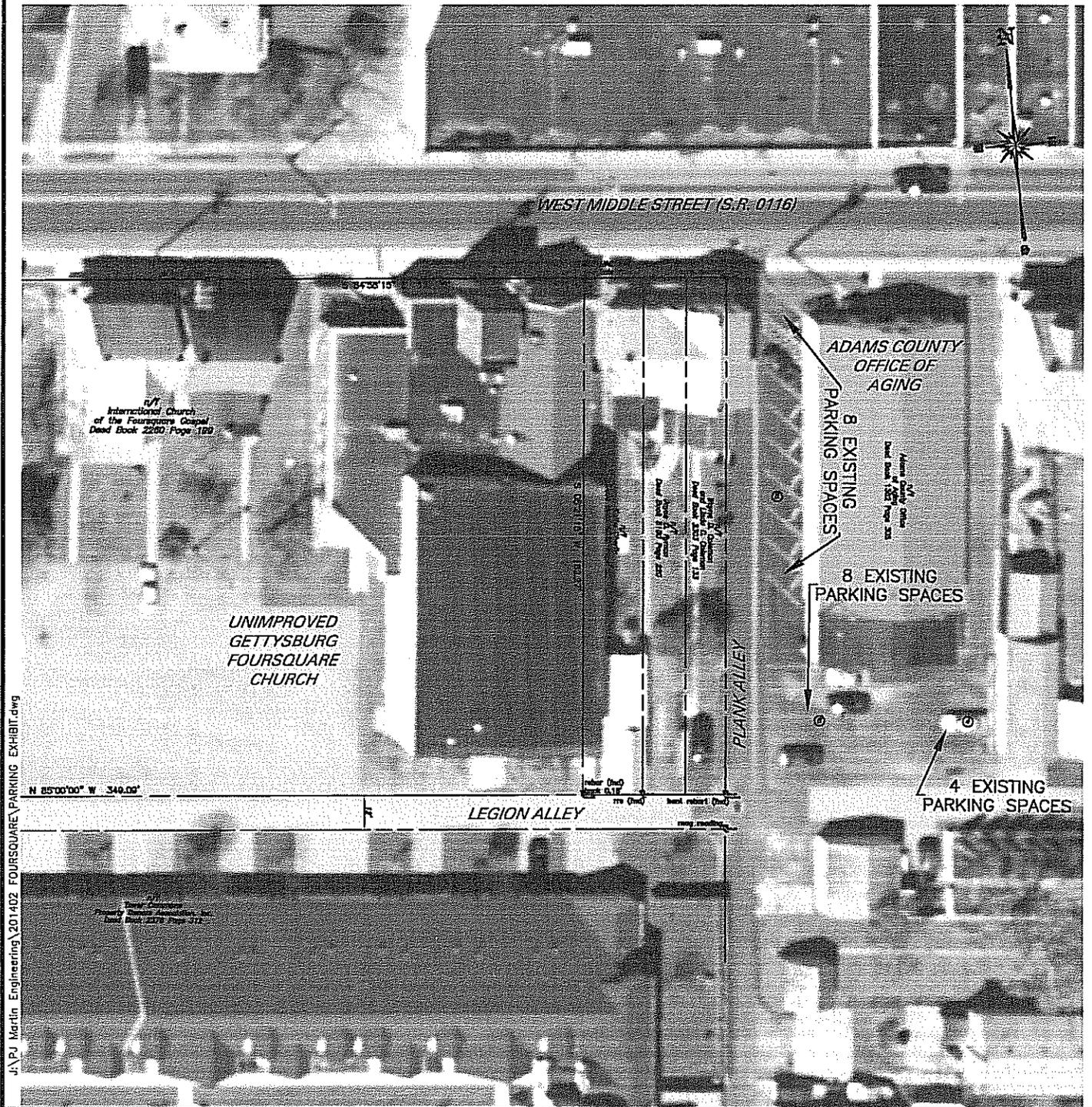
ADAMS COUNTY OFFICE FOR AGING

LESSOR

GETTYSBURG FOURSQUARE CHURCH

BY: _____
LESSEE

EXHIBIT "A"



J:\PJ Martin_Engineering\201402_FOURSQUARE\PARKING_EXHIBIT.dwg

REVISIONS

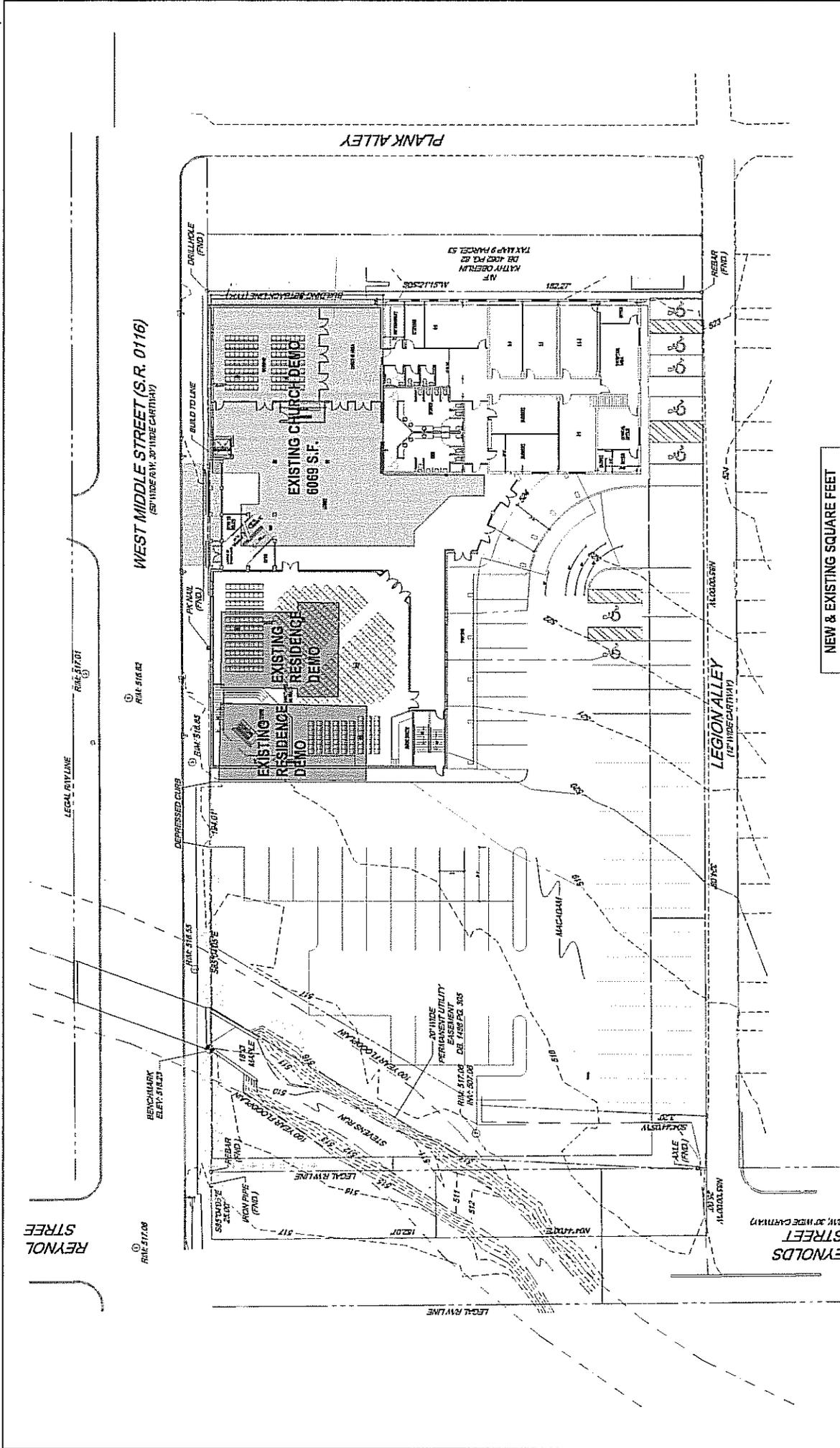
NO.	DATE	DESCRIPTION

DATE: AUGUST 3, 2015	JOB NO: 201402
SCALE: 1 : 50	DWG. NO: PARKING

PARKING EXHIBIT FOR
**GETTYSBURG
 FOURSQUARE CHURCH**
 GETTYSBURG BOROUGH, ADAMS COUNTY, PENNSYLVANIA



PJ MARTIN ENGINEERING
 CIVIL, MUNICIPAL, LAND USE ENGINEERING & DESIGN SERVICES



WEST MIDDLE STREET (S.R. 0116)
(57' WIDE R/W, 30' WIDE CURTHAW)

REYNOLDS STREET
(57' WIDE R/W, 30' WIDE CURTHAW)

LEGION ALLEY
(12' WIDE CURTHAW)

PLANK ALLEY

NEW & EXISTING SQUARE FEET

FLOOR	EXISTING	NEW	TOTAL
BASEMENT	1,917 SF	1,544 SF	3,461 SF
FIRST FLOOR	6,154 SF	1,931 SF	8,085 SF
SECOND FLOOR	6,154 SF	7,017 SF	13,171 SF
TOTAL	14,225 SF	10,492 SF	24,717 SF

PRELIMINARY SITE SKETCH

SCALE 1/4" = 10'

SHOWING DEMOLITION

CENTURA ASSOCIATES
1100 MARKET AVENUE, SUITE 101
PHILADELPHIA, PA 19104
TEL: 215-581-1400 FAX: 215-581-1401
www.centuraassociates.com

PROJECT: ADDRESS TO
THE FOUR SQUARE GOSPEL CHURCH
330 WEST MIDDLE STREET
GETTYSBURG, PA 17325

DATE: 4.19.14

S-1

PRELIMINARY