

**Red Lion Borough Planning Commission
Meeting Minutes
Monday, August 17th, 2020**

Members present

Cindy Barley
Beth Nidam
Joyce Seabolt
Muriel Slenker
Ian Montgomery
Wade Elfner

Others present

Dan Shaw, Codes/Zoning
Mike Craley, Solicitor
Dianne Price, Borough Manager
Stacy Myers, Recording Sec'y

Visitors

Dennis Klinedinst
Jordan Ilyes

1. The meeting was called to order @ 7:00p.m., followed by the pledge to the flag.
2. Mrs. Barley made a motion to approve the March 16th, 2020 Meeting Minutes; Mrs. Slenker seconded. All were in favor; motion carried.
3. **Variance application submitted by Ilyes Holdings 4, LLC** for a variance to the Red Lion Zoning Ordinance, Section 27-410 which requires 2 (two) parking spaces per dwelling unit & 1 (one) additional space for every 5 (five) dwelling units. Applicant is requesting 1.5 parking spaces per dwelling unit for property located at 252 N. Franklin St, Red Lion, PA.
Jordan Ilyes, from Ilyes Holding is seeking a Variance for parking at 252 N. Franklin Street, Red Lion, which is the old David Edwards furniture factory. Mr. Ilyes currently has the property under sales agreement & is proposing to create 105 apartments (1, 2 & 3-bdrm units). He has redeveloped several older properties such as this, with his most recent being the McAllister Hotel in Hanover & he brought a few examples of his work with him tonight.
Jordan stated several cities & towns are changing their zoning to make their general business district adaptable to re-use. 252 N. Franklin Street has two parcels & a 3rd parcel across the street that could be used for parking, if necessary to include that. Dan Shaw had previously noted that both site/parcel numbers should be listed on Mr. Ilyes' plan. There is parcel #67-82-000-55-0077 & #67-82-000-55-0077(A). The 3rd lot across the street (at Keener Avenue) was used for overflow parking when David Edwards was in business & Jordan said he can use it, if necessary for the apartments, but he feels it's too far away for residents to park. Otherwise, he would like to keep that parcel to build townhomes in the future.
Jordan said he allowed for parking on site for a proposed brewery, a coffee shop & two banquet rooms within the old furniture factory.
Jordan's site plan for the 105 proposed apartments showed parking layout options as well as the layout for the apartments. Per the Zoning Ordinance, he would need 231 parking spaces for the 105 units. He has 155 parking spaces available + 15 dedicated spaces for the brewery.
Committee members think Jordan's insight of the apartments, brewery & coffee shop are excellent ideas for the town, but they're uncomfortable with recommending a Variance for the 76 parking spaces that will be lost, especially when Borough Council often hears complaints about parking shortages on N. Franklin Street & other areas in town.
Jordan said he meets with this hesitation in every municipality and he understands; however, he said it typically works out. The residents will have assigned parking spaces and there are rarely any problems. One difference in some other areas is that jobs are within walking distance from those apartment buildings. That's not the case in Red Lion, as mostly all of the residents will need to drive to work & will own one vehicle, if not more. And Jordan said this is his first time

proposing 3-bdrm units. Typically, he offers 1 & 2-bdrm units, but consistently the 1.5 parking spaces has worked out in other areas he's developed.

The banquet rooms that Jordan spoke of will be for private events, only for the apartment residents, but there will be a need for guest parking. As said before, the Keener Avenue lot could be used for overflow parking, although he didn't have a site plan created using that lot. Mr. Craley stated that since Jordan confirmed he could most likely meet the Zoning requirement for parking by using the Keener Avenue lot for additional parking, he has no need for the Variance. Mr. Craley stated there are many Zoning Hearing Boards that are more flexible; however, he sees no reason to grant a Variance for lesser parking because it doesn't meet the legal requirement. Ultimately, it's up to the Zoning Hearing Board, but Mr. Craley stated he is recommending the Planning Commission recommend denying the Variance request. The Zoning Ordinance is enacted by Borough Council & Borough Council will be the ones to hear neighbor's complaints about parking problems, should they arise. Mr. Craley said, if there is to be a remedy for this situation, it would be to amend the Ordinance, so the rules would be the same for this project as the next. Dropping the number of parking spaces should be done by amending the Ordinance, not by granting a Variance. It's a great project, but it needs to be done the right way.

By themselves (standing alone), the brewery & the multi-family dwelling are special exceptions, but when put into a multi-use building, it's a permitted use. So, Jordan doesn't require any special exceptions or any other zoning approval aside from the Variance for parking.

Other options to possibly make this work were discussed:

- Cutting down the number of proposed units; however, Jordan needs to make a profit on his investment.
- A typical parking space dimension is 10' x 20', but Mr. Craley has seen municipalities use 9' x 18' and even 7' x 20'. Jordan will verify his proposed plan meets 10' x 20'.
- Parking in the lower/basement level (such as at the Opera House Apartments) cannot be used at this location and still meet fire code.
- Jordan can pursue having the ZO amended, but that would need to be done through Borough Council & will take time.
- Could the Variance request be granted for example, the first year as an option for overflow parking on the Keener Avenue lot & then revisit whether or not it's needed for additional parking?

Mr. Craley said 231 (+ 19) parking spaces are necessary. If Jordan can obtain that by using the Keener Avenue lot & he resubmits a revised plan using that lot, Red Lion's Planning Commission can revisit the idea at that time. The plan would need to go to York County Planning Commission first. During that time, Council may consider amending their Ordinance, but the outcome is unknown.

Mr. Craley invited Jordan to show him other municipalities' ordinances where he's been granted Variances for lesser parking. Red Lion can then examine theirs to see if it could be amended to be less restrictive, but Mr. Craley isn't aware of many municipalities allowing less than two parking spaces/unit.

The Board was very amenable to all that Jordan is proposing for that vacant building, but they suggested trying to make it work without a Variance. Dan Shaw suggested Jordan see how many spaces he could accommodate using the Keener Avenue lot, so that the Variance isn't needed. Jordan sees this opposition with nearly all his projects & when they're completed, residents are satisfied. He said when tenants are paying for their parking space, they aren't going to park on the street, as Board members suggested may happen.

Using the Keener Avenue lot, Mr. Craley said he'd be less inclined to recommend denying a Variance for reduction of parking space size, if the required number of parking spaces can be obtained.

Mrs. Barley made a motion recommending denial of Ilyes Holding's Variance request as submitted tonight with the caveat that the Planning Commission would revisit the Ordinance at a later date to reduce the required number of parking spaces or the parking space size in this situation. Ms. Nidam seconded. All were in favor; motion carried.

4. **Adjournment**—Ms. Nidam made a motion to adjourn the meeting @ 7:43p.m. Ms. Seabolt seconded. All were in favor; motion carried, meeting adjourned.

Respectfully submitted by:

Stacy Myers, Recording Secretary