A regular meeting of the Planning Commission was held on Monday, October 14, 2019, at the Kutztown Municipal Building, 45 Railroad Street.

The meeting was called to order at 7:00 PM by Ms. Lisa Ladd-Kidder, Chairperson. Members present were: Ms. Lisa Ladd-Kidder, Mr. Frederick Engelhardt, Mr. Joel Seidel, Mrs. Pat Snyder, and Ms. Karen Feridun. Mr. Tim Haring and Mr. Michael Blichar were absent. Also present: Ms. Judith Danko, Director of Community Development, Mr. Gabriel Khalife, Borough Manager; and Ms. Carolann Moody, Recording Secretary. Public Attendance: Ms. Emily Schlegel, Mr. Pete Smith and Mr. Rich Smith representing Eagle Point Management/Georgetown Holding Group and Ms. Fila Back.

Ms. Ladd-Kidder opened the meeting by introducing Ms. Judith Danko, Director of Community Development to Planning Commission members.

PUBLIC COMMENTS ON NON-AGENDA ITEMS
There were no public comments.

PLANNING COMMISSION COMMENTS ON NON-AGENDA ITEMS
There were no comments from Planning Commission members on non-agenda items.

APPROVAL OF MINUTES
The September 9, 2019 Planning Commission minutes were reviewed by members. Motion by Ms. Feridun and seconded by Mr. Engelhardt to approve the September 9, 2019 minutes as written. The motion passed by unanimous vote.

NEW BUSINESS/ACTION ITEMS
● Review Zoning Appeal Z-19-02 for 26 South Whiteoak Street
Ms. Ladd-Kidder introduced Mr. Pete Smith and requested he review with Planning Commission members a brief synopsis regarding the details of their request.

Mr. Smith stated that they are requesting a subdivision of the retail and parking lot parcels because owner of Young Ones, Mr. Christopher Holt approached Mr. Smith expressing an interest in purchasing the building that he currently rents at 26 South Whiteoak Street. He said that they do have an agreement of sale contingent to sell the building to Mr. Holt contingent upon Georgetown Holding Group retaining a portion of the parking lot across Herring Alley adding that those parking spaces are currently dedicated to student rental properties they own. Mr. Smith added that if the subdivision happens, in terms of the use of the building and parking, it would remain the same. Mr. Smith
mentioned that there are some parking specifics that he and Ms. Danko are in the process of working out.

Ms. Danko reviewed with Planning Commission members the parking designated for the building as well was the parking that is designated for the rental properties, adding that by taking away the parking spaces for the rental properties, the zoning could be undone for those properties. Ms. Danko stated that she did ask Mr. Smith for clarification of the use of the building as well as a written schematic plan, indicating the parking spaces and for which rental property they are allocated to.

Following a discussion regarding various issues, motion by Mr. Engelhardt and seconded by Mrs. Snyder to recommend approval of the applicant’s request to subdivide the parcel at 26 South Whiteoak Street in to two parcels. i.e., Lot #1 (aka Retail Store) and Lot #2 (aka a Parking Lot bordering Herring Alley.) The following stipulations were included as part of the Planning Commission’s recommendation to approve the subdivision of 26 South Whiteoak Street:

1. It was agreed that the subdivided parcels, both Lot #1 (the Retail Store) and Lot #2 (the Parking Lot) will continue with their current uses.

2. It was also agreed that the current use for Lot #1 (the Retail Store) and Lot #2 (the Parking Lot) are in “non-conforming” use status and will continue with their “non-conforming” use status.

3. It was agreed that Lot #1 (the Retail Store) and Lot #2 (the Parking Lot), if approved shall be subdivided into two parcels. This subdivision shall create a separate parcel known at Lot #1 (the current Retail Store.) It shall also create a separate parcel known at Lot #2 (the Parking Lot.) Lot #2 shall be consolidated with the 2 adjoining parking lots (located between Herring Alley and Stimmel Alley) currently known as PIN 55-544312864899 & PIN 55-544312864871 deed 2010021924. The applicant shall follow through with the consolidation of these three parking areas as one parcel along with creating and recording one new deed.

4. It was agreed upon that the applicant shall provide to the Borough (Community Development Office) a written schematic plan showing the allocation of the parking spaces for the applicant’s rental units (aka 75-77 Stimmel Alley, 225 West Main Street, 242-248 West Main Street) which are currently utilizing Lot #2 (Parking Lot) and the other adjoining parking lots between Herring Alley and Stimmel Alley.

The applicant will need to submit this information to the Community Development Office by October 23, 2019 in order for the Community Development Office to have sufficient time to confirm the information prior to the Zoning Hearing Board meeting scheduled for October 29, 2019.

The applicant corrected and confirmed that the Zoning Hearing Board Appeal No. Z-19-02 for 26 South Whiteoak Street, Kutztown, PA for Lot #1 (aka Retail Store) was for “Retail Use & Parking Lot” not for “Restaurant Use & Parking Lot.” This information shall be placed in the record.

The motion passed with 3 votes in favor and 1 against.
OLD BUSINESS/UPDATES
There was no old business/updates to discuss.

OFF AGENDA
There was nothing to discuss off agenda.

ADJOURNMENT
With no further business to discuss a motion was made by Mr. Seidel and seconded by Ms. Feridun to adjourn the meeting. The motion carried and the meeting was adjourned at 7:50PM.

Respectfully submitted,

Ms. Carolann Moody
Recording Secretary