

INTER

OFFICE

MEMO

To: HARRISBURG CITY COUNCIL
From: Kirk Petroski, City Clerk
LEGISLATIVE APPROVAL FORM

Date:

LEGISLATIVE APPROVAL FORM/CERTIFICATE OF ACCEPTANCE

BILL NO. -2020 RESOLUTION NO. -2020

THE ABOVE LISTED ITEM WAS WRITTEN AND PREPARED FOR FINAL INTRODUCTION AT THE HARRISBURG CITY SOLICITOR'S OFFICE ON:


Deputy City Solicitor

10-23-20
Date

Requested by Department/Bureau: Planning

Department/Bureau Contact Person: Gr. Knight

For Action on or before:

The attached was received in the Office of the City Clerk for introduction on

Received by: _____

Date: _____

1 **BILL NO. _____ OF 2020**

2
3 Moved by: _____
4

5 An Ordinance vacating and striking from the Official Map of the City of Harrisburg a
6 portion of Kent Alley within the block bounded by 1820 North 5th Street, North 5th Street, Kelker
7 Street, and Fulton Street and an unnamed grocer’s alley running from that portion of Kent Alley to
8 Kelker Street pursuant to Chapter 3-109 of the Codified Ordinances of the City of Harrisburg.

9 **WHEREAS**, Tarik Casteel on behalf TLC Work Based Training Program, Inc. submitted a
10 Petition to Vacate Streets which includes a portion of Kent Alley and an unnamed grocer’s alley,
11 which is attached hereto as Exhibit “A;” and

12 **WHEREAS**, the Petition for Kent Alley and the unnamed grocer’s alley is signed by a
13 all of the owners of the abutting property, in accordance with the Third Class City Code, 11
14 Pa.C.S. § 12918; and
15

16 **WHEREAS**, the portion of Kent Alley to be vacated runs from the western boundary of the
17 lot with parcel ID #11-016-086 in the east and continues thirty five (35) feet to the west and is ten
18 (10) feet wide; additionally the unnamed grocer’s alley to be vacated runs from Kent Alley south to
19 Kelker Street and is five (5) feet wide and eighty five (85) feet long, a map of which is attached hereto
20 as Exhibit “B”; and
21

22 **WHEREAS**, the vacation of these alleys will expedite the land development of the site and
23 obviate zoning relief requests; and
24

25 **WHEREAS**, there will be no transportation impacts since these alleys do not have any
26 function within the city’s vehicular or pedestrian network; and
27

28 **WHEREAS**, the City Engineer, Codes Bureau, Police Bureau, and Fire Bureau have no
29 issues with the proposal; and
30

31 **WHEREAS**, the Law Bureau has no comment; and

32

33 **WHEREAS**, Capital Region Water has not made comment; and

34

35 **WHEREAS**, the Dauphin County Planning Commission’s comments are attached hereto as
36 Exhibit “C”; and

37

38 **WHEREAS**, the Harrisburg Planning Commission reviewed the Petition at its regular
39 meeting on October 7, 2020 and heard testimony from the Applicant and the report of the Planning
40 Commission staff, which is attached hereto as Exhibits “D;” and

41 **WHEREAS**, the Harrisburg Planning Commission by a vote of (5-0) recommended that
42 Harrisburg City Council approve the request with the following conditions:

- 43 1. If there is water or stormsewer infrastructure managed by Capital Region
44 Water running along or through the right-of-way to be vacated, the Applicant
45 will coordinate with the authority to address any outstanding issues related to
46 access or maintenance.

47

48 **WHEREAS**, the Harrisburg Planning Commission by a vote of (5-0) recommended that
49 Harrisburg City Council approve the request for the following reasons:

- 50 1. The existing Kent Alley right-of-way, and the other right-of-way (grocer's alley) is
51 essentially a paper street running across a vacant lot; as such, the vacation will not
52 have any impact on traffic circulation.
- 53 2. The proposed street vacation will permit the subsequent lot consolidation of the
54 properties on the site, thereby allowing eventual development of the site to occur
55 without necessitating requests for relief from aspects of the Zoning Code.

56

57 **WHEREAS**, the Resolution of the Harrisburg Planning Commission is attached hereto as
58 Exhibit “E”; and

59 **WHEREAS**, as a requirement for final passage, City Council shall hold a public hearing
60 to consider the requested street vacation and provide public notice of said public hearing
61 pursuant to the Third Class City Code, 11 Pa.C.S § 12919 and §402(b) of the Pennsylvania
62 Municipalities Planning Code, Act of 1968, P.L. 805, No. 247, as reenacted and amended; and
63

64 **NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF**
65 **HARRISBURG, AND IT IS HEREBY ENACTED BY AUTHORITY OF THE SAME**, as
66 follows:
67

68 SECTION 1. KENT ALLEY & UNNAMED GROCER’S ALLEY VACATION. Beginning at
69 a point on the northern right-of-way line of Kelker Street (60' right-of-way) at southwestern
70 corner of lands now or formerly of TLC Work-Based Training Programs, Inc.(Tax Parcel
71 11-016-086); thence along the northern right-of-way line of Kelker Street S 60° 30' 00" W
72 a distance of 5.00' to a point; thence along the land now or formerly of TLC Work-Based
73 Training Programs, Inc. (Tax Parcel 11-016-039) the following two (2) courses: 1) N 29°
74 30' 00" W a distance of 75.00' to a point; 2) S 60° 30' 00" W a distance of 30.17 to a point;
75 thence through Kent Alley (an unopened 10' right-of-way) N 29° 30' 00" W a distance of
76 10.00' to a point; thence along lands now or formerly of HUB Veterans Housing LP (Tax
77 Parcel 11- 016-085) N60° 30' 00" E a distance of 35.1 7' to a point; thence along land of TLC
78 Work-Based Training Programs, Inc. (Tax Parcel 11-016-086) S 29° 30' 00 E a distance of
79 85.00' to a point; said point being the point of Beginning (containing 727 Sq. Ft. or 0.0.17
80 acres) is VACATED and STRICKEN from the Official Map of the City of Harrisburg, subject
81 to the conditions noted in Section 2 below.
82
83

84 SECTION 2. RESERVATION OF EASEMENTS. The street vacation is granted with easements
85 under and upon the property reserved for the benefit of and conveyed to utilities, their successors
86 and assigns in which to access, construct, operate, maintain, repair, replace, improve, remove and
87 enlarge utility systems.
88

89 SECTION 3. RECORDATION. The City Engineer is hereby directed to make appropriate
90 changes to the Official Map of the City of Harrisburg.

91
92 SECTION 4. DELEGATION. Appropriate City officials are authorized and directed to take
93 such actions as are necessary to effectuate this ordinance.

94
95 SECTION 5. SEVERABILITY. If any provision, sentence, clause, section, or part of this
96 ordinance or the application thereof to any person or circumstance is for any reason found to be
97 unconstitutional, illegal, or invalid by a court of competent jurisdiction, such unconstitutionality,
98 illegality, or invalidity shall not affect or impair any of the remaining provisions, sentences,
99 clauses, sections or parts of this ordinance. It is declared as the intent of the Council of the City
100 of Harrisburg that this ordinance would have been adopted had such unconstitutional, illegal, or
101 invalid provision, sentence, clause, section, or part not been included.

102
103 SECTION 6. REPEALER. All ordinances or parts of ordinances in conflict herewith be and the
104 same are hereby repealed.

105
106 SECTION 7. EFFECTIVE DATE. This ordinance shall take effect in accordance with the law.

107
108 Seconded by: _____

EXHIBIT A



CITY OF HARRISBURG STREET VACATION PETITION

Information Sheet

Note: The Planning Bureau must review all applications for completeness; incomplete applications may cause a delay in processing.

Contact Ben Schmidt at 717-255-6408 or brschmidt@harrisburgpa.gov to schedule a meeting.

Property Address of Owner

1821 Fulton
Street #104
Harrisburg, PA
17102

Tax Parcel ID Number

11-016-086, 11-016-039

Street(s) or Portion Thereof to be Vacated

Kent Alley (unopened right-of-way), a portion thereof, between Fulton Street & North 5th Street and north of Kelker Street.

**Criteria for Street Vacations: Provide as much information and be as specific as possible.
(Use Additional Sheets If Necessary)**

1. Please explain the purpose of this request.

To permit claiming of this unopened right-of-way land to consolidate with adjacent properties accomodate adequately-sized Apartment lot and improvements related thereto.

2. If the street vacation is approved, what benefit will it provide to the public?

It will accomodate much needed affordable housing and safe drainage measures avoiding flooding of public areas

3. If the street vacation is approved, how will it benefit the neighborhood and/or businesses?

It will accomodate much needed affordable housing and safe drainage measures avoiding flooding of public areas. More residents are potentially more patrons for neighborhood businesses.

4. Is the street vacation request consistent with the City's Comprehensive Plan, including the Transportation Element, and adopted regional transportation plans? **Yes. A Bus stop is available a block away at the corner of 6th St and Kelker St.**



5. Has the traffic analysis report been performed no more than six (6) months prior to the application date? What are the average daily peak and nonpeak traffic trips?
A Traffic Analysis Report should not be applicable to a unopened alley
-
-
6. If the street vacation is approved, what is the transportation impact on the surrounding streets?
There is no transportation impact to surrounding streets from vacating an unopened unimproved alley right-of-way
-
-
7. If the street vacation is approved, will it impact future development of existing parcels adjacent to the portion of the street being vacated?
The vacation realtes and accomodates the currently propoed development of the adjoining properties of TLC.
Further vacation of the rest of Kent Alley would also accomodate future re-development of the remining adjoining properties in a similar manner.
-
-
8. What are the current maintenance costs to the City of Harrisburg (i.e. street cleaning, paving, maintenance of light fixtures, street repairs)? Will the applicant maintain or make improvements to the portion of the street being vacated?
There are no City maintenance or maintenance cost associated with this unopened/ unimproved right-of-way.
Maintenance of the vacated portions will be reposnsibility of the owners of the properties to which the land will be distributer
-
-
9. Does the applicant have the ability to undertake repair and maintenance of the street if the street vacation is approved?
Improvement as or maintenance of a street is not planned
-
-
10. If the street vacation is approved, what impact will it have on abutting property owners who did not sign the petition, if applicable?
All abutting owners have signed the petition
-
-
11. If the street vacation is approved, what impact will it have on emergency response providers?
This unimproved right-fo-way does not provide emergency access. Emergency access is provided byt the surrounding established/improved streets that will remain.
-
-



Applicant

Name Tarik Casteel

Company TLC Work Based Training Programs, Inc

Address 821 Fulton Street #104 Harrisburg, PA 17102

Phone 717-565-9343

Email trcasteel38@gmail.com

Main Contact for Project (if different from the Applicant)

Name same as applicant

Company _____

Address _____

Phone _____

Email _____

Property Owner (if different from the Applicant)

Name same as applicant

Company _____

Address _____

Phone _____

Email _____

APPLICANT/OWNER CERTIFICATION

I hereby certify that the proposed request is authorized by the owner of record and that I agree to conform to all applicable laws of this jurisdiction. I understand that any falsification could lead to denial or criminal penalties, or revocation of any permit pursuant to this application. I agree that work will not commence prior to final approval.

Tarik Casteel
Applicant's Signature

9-1-2020
Date

Tarik Casteel
Property Owner's Signature

9-1-2020
Date

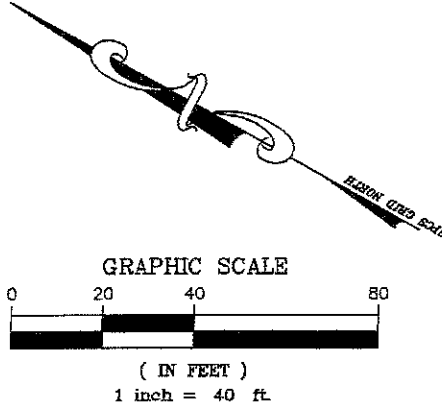
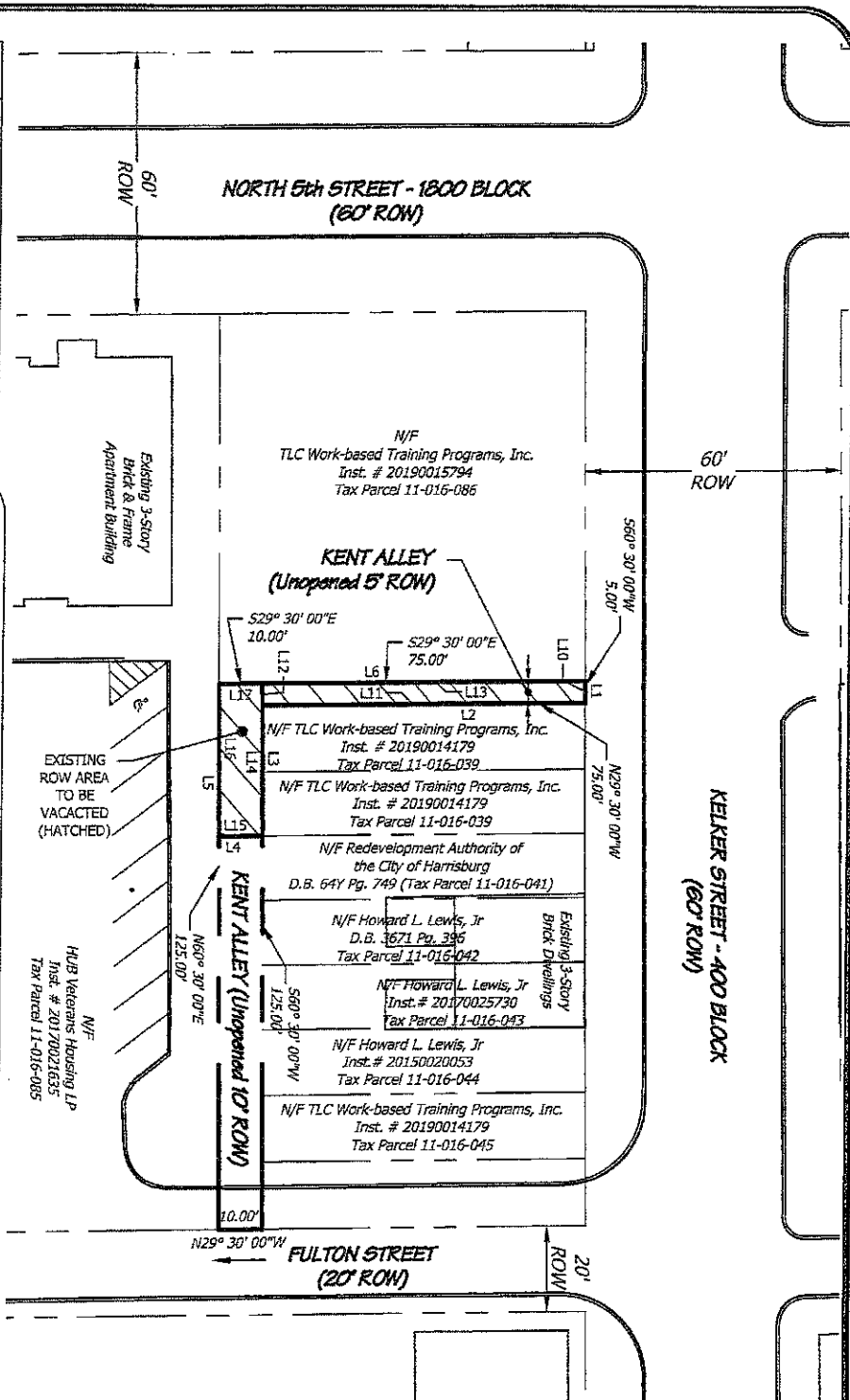
The owner must sign this application. The applicant signature is required when different from owner

EXHIBIT B

Overall Street Vacation Line Table		
Line #	Direction	Length
L1	S60° 30' 00"W	5.00'
L2	N29° 30' 00"W	75.00'
L3	S60° 30' 00"W	30.17'
L4	N29° 30' 00"W	10.00'
L5	N60° 30' 00"E	35.17'
L6	S29° 30' 00"E	85.00'
Containing: 727 sq. ft. (0.017 ac.)		

Proposed Street Vacation Sections		
Kent Alley 5' ROW Line Table		
Line #	Direction	Length
L10	S60° 30' 00"W	5.00'
L11	N29° 30' 00"W	75.00'
L12	N60° 30' 00"E	5.00'
L13	S29° 30' 00"E	75.00'
Containing: 375 sq. ft. (0.009 ac.)		

Kent Alley 10' ROW Line Table		
Line #	Direction	Length
L14	S60° 30' 00"W	35.17'
L15	N29° 30' 00"W	10.00'
L16	N60° 30' 00"E	35.17'
L17	S29° 30' 00"E	10.00'
Containing: 352 sq. ft. (0.008 ac.)		



NOTE: ROW = Right-Of-Way

DRAFTING R.J. FISHER & ASSOCIATES, INC. DATE: 08/28/20 RJS/1 0P 1	KENT ALLEY STREET VACATION PLAN FOR TLC WORK-BASED TRAINING PROGRAMS, INC. LOCATED IN CITY OF HARRISBURG, DAUPHIN COUNTY, PA.			R. J. FISHER & ASSOCIATES, INC. SITE PLANNING • CIVIL ENGINEERING • LAND SURVEYS 1546 BRIDGE STREET, NEW CUMBERLAND, PA. 17070 PHONE: (717) 774-7534 FAX: (717) 774-7190 WWW.RJFISHERENGINEERING.COM		No. _____ REVISION _____ DATE _____
	1 2 3 4			No. _____ REVISION _____ DATE _____		
	5 6 7 8			No. _____ REVISION _____ DATE _____		
	9 10			No. _____ REVISION _____ DATE _____		
	11 12			No. _____ REVISION _____ DATE _____		

EXHIBIT C

DAUPHIN COUNTY PLANNING COMMISSION

DAUPHIN COUNTY COURTHOUSE – HARRISBURG, PENNSYLVANIA 17101

STAFF OFFICE
112 Market Street, 2nd Floor
Harrisburg, Pennsylvania 17101-2015
Telephone 717-234-2639
Fax 717-234-4058
e-mail: planning@tcrpc-pa.org

October 5, 2020

Geoffrey Knight
Planning Director, City of Harrisburg
Department of Community and Economic Development
10 North 2nd Street, Suite 206
Harrisburg, PA 17101

Re: Street Vacation – Kent Alley

Dear Mr. Knight:

The Dauphin County Planning Commission reviewed the above-noted street vacation at its meeting on October 5th, 2020.

The portion of Kent Alley to be vacated is from Kelker Street into the interior of the block bound by Muench Street, North 5th Street, Kelker Street and Fulton Street. The purpose behind the proposed street vacation is to consolidate a project area for a development proposal of eight units to be known collectively as “440 Kelker Street”. A land development plan for “Kelker Street Apartments” has already been submitted.

Kent Alley currently exists as an unopened and unpaved right-of-way. The application seeks to vacate the portion of the alley abuts parcel number 11-016-039. It is recommended that the applicant consider vacating the entire alleyway from Kelker Street to Fulton Street.

The Dauphin County Planning Commission concurs with the proposed vacation, provided that existing and future access to utility service and maintenance are not adversely affected. Please direct any questions concerning this review to Alexa Korber at the above staff office.

Thank you for the opportunity to review this proposal.

Sincerely,


E. Chris Abruzzo
Chairman

EXHIBIT D



Eric Papenfuse, Mayor

PLANNING BUREAU CASE REPORT

Street Vacation Application

Street Vacation: Kent Alley

APPLICANT:

Tarik Casteel w/ TLC Work-Based Training Programs, Inc.

APPLICANT STATUS:

Adjacent Property Owner

ZONING:

N/A

HISTORIC DISTRICT:

N/A

APPLICATION DATE:

September 4, 2020

HPC DATE:

October 7, 2020

SITE VISIT/POSTING DATE(S):

September 30, 2020

FLOODPLAIN:

Zone X (No Floodplain)

REQUEST:

The Applicant is requesting to vacate rights-of-way (grocer's alleys and a portion of Kent Alley) in the block bounded by the 1820 North 5th Street, North 5th Street, Kelker Street, and Fulton Street to effectuate the consolidation and development of the site for an eight-unit apartment development with accompanying site and access improvements.

PROPERTY DESCRIPTION:

The Applicant is proposing to vacate rights-of-way within the subject block, including a portion of Kent Alley, which is a 10' wide by approximately 35' long right-of-way, running from the property at 440 Kelker Street west into the block, and a small right-of-way (grocer's alley) running between Kent Alley and Kelker Street, which is 5' wide by 85' long. The rights-of-way effectively have no purpose within the city's transportation infrastructure – they are paper streets that at one point provided access to the rear of properties fronting the Kelker Street – as they are currently running across vacant parcels covered in grass.

STREET VACATION ANALYSIS:

1. The stretch of Kent Alley being vacated runs from the western boundary of the lot with the parcel ID #11-016-086 in the east 35' to the west and is 10' wide. Additionally, the small right-of-way connecting Kent Alley to Kelker Street, measuring 5' wide by 85' long, will also be vacated as part of this application.

STAFF REPORT – Kent Alley, Street Vacation Application

October 7, 2020 HPC Meeting

Page 2

2. The Applicant is the owner of 100% of total linear feet of property fronting the right-of-way to be vacated and three properties (100% of the abutting properties) adjacent to the rights-of-way to be vacated.
3. Although CRW has not submitted their review as of the filing of this case report, the Planning Bureau notes that the Applicant should coordinate with CRW to maintain any existing utility easements and/or remove any extraneous infrastructure from the right-of-way to be vacated.
4. Vacating these rights-of-way would allow the owner to remove the sole barrier to the eventual consolidation of all the parcels within the project area. It will support the future development of the site as an eight-unit apartment building with associated site and access improvements.
5. The Planning Bureau notes that the City generally supports the vacation of streets with limited utility, particularly those running across privately-utilized property with no public access (aka, “paper streets”) as they provide negligible benefit to traffic circulation and may incur costs to the City such as maintenance and liability.
6. The Applicant has noted that the proposed vacation will allow the consolidation of parcels on the project site which will lead to the development of an eight-unit apartment building, which will bring much needed affordable housing to the city. The Applicant further notes that the public will also benefit from the stormwater management improvements that the development will provide, including installation of new infrastructure that will redirect runoff from the site into the existing stormsewer network.

CITY STAFF COMMENTS:

- City Engineer – No issues
- Codes Bureau – No issues
- Fire Bureau – No issues
- Police Bureau – No issues
- Law Bureau – Currently under review
- Capital Region Water – Currently under review

DAUPHIN COUNTY PLANNING COMMISSION RECOMMENDATION:

The Dauphin County Planning Commission review is currently reviewing the application.

PLANNING BUREAU RECOMMENDATION:

Approval with Conditions

The Planning Bureau staff recommends the request be Approved with the following condition(s):

1. If there is water or stormsewer infrastructure managed by Capital Region Water running along or through the right-of-way to be vacated, the Applicant will coordinate with the authority to address any outstanding issues related to access or maintenance.

The Planning Bureau staff recommends that the request be Approved for the following reason(s):

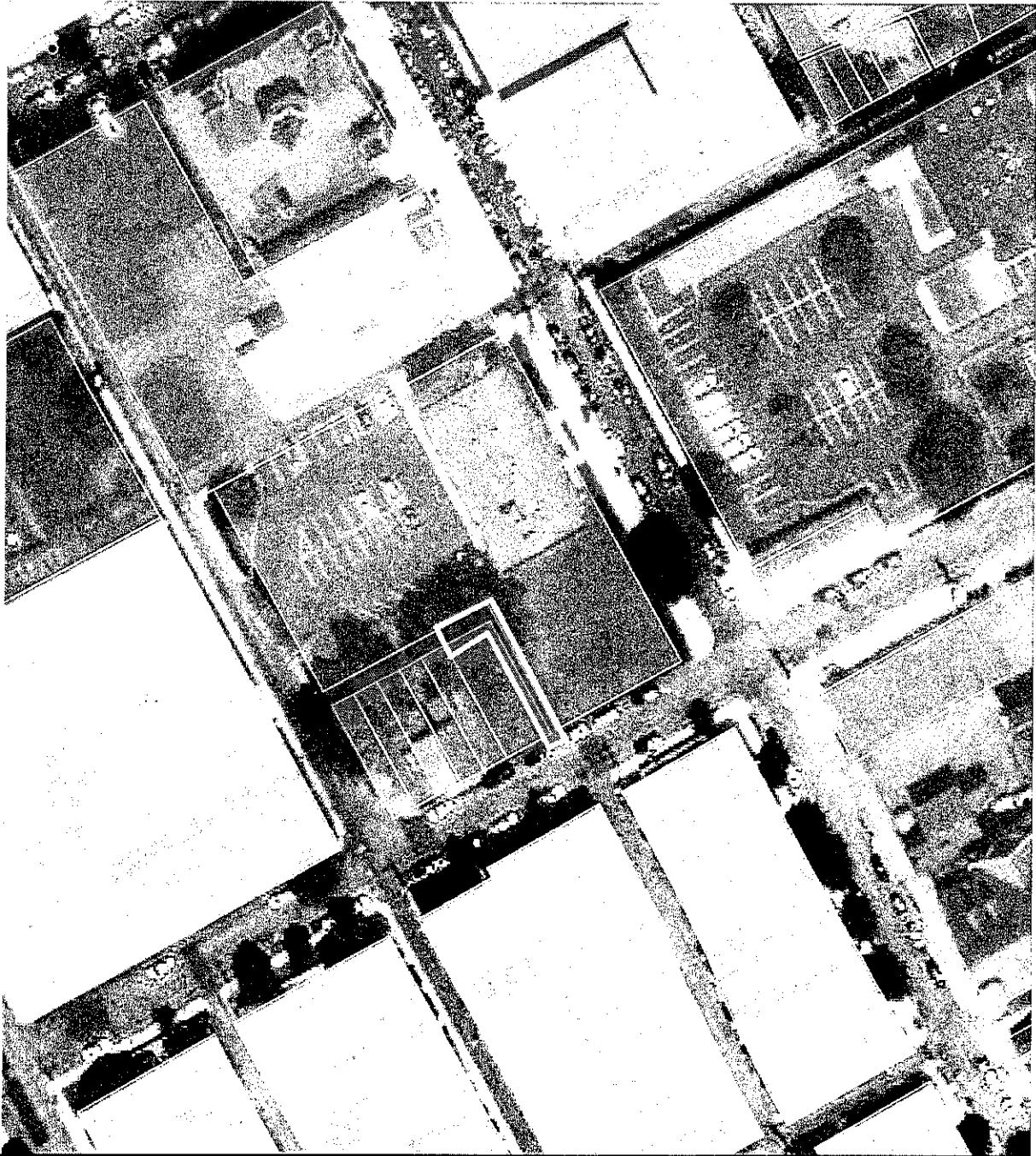
1. The existing Kent Alley right-of-way, and the other right-of-way (grocer's alley) is essentially a paper street running across a vacant lot; as such, the vacation will not have any impact on traffic circulation.
2. The proposed street vacation will permit the subsequent lot consolidation of the properties on the site, thereby allowing eventual development of the site to occur without necessitating requests for relief from aspects of the Zoning Code.

REVIEW PROCESS:

1. Dauphin County Planning Commission review of application
2. Planning Bureau review of application and development of case report with recommendation to Harrisburg Planning Commission (HPC).
3. Harrisburg Planning Commission review of application and recommendation to Harrisburg City Council.
4. Harrisburg City Council review of application and final decision (public hearing is required per MPC Section 402).

ATTACHMENTS:

1. Zoning & Location Map
2. Street Vacation Application
3. Street Vacation Petition
4. Site Survey/Parcel Map
5. Legal Description
6. Quitclaim Deed



Zoning & Location Map
Kent Alley

EXHIBIT E



Eric Papenfuse, Mayor

**RESOLUTION
OF
HARRISBURG PLANNING COMMISSION**

STREET VACATION REQUEST FOR:

Kent Alley

WHEREAS, Tarik Casteel with TLC Work Based Training Program, Inc., is requesting to vacate rights-of-way (grocer's alleys and a portion of Kent Alley) in the block bounded by the 1820 North 5th Street, North 5th Street, Kelker Street, and Fulton Street to effectuate the consolidation and development of the site for an eight-unit apartment development with accompanying site and access improvements.

WHEREAS, the Applicant is proposing to vacate rights-of-way within the subject block, including a portion of Kent Alley, which is a 10' wide by approximately 35' long right-of-way, running from the property at 440 Kelker Street west into the block, and a small right-of-way (grocer's alley) running between Kent Alley and Kelker Street, which is 5' wide by 85' long. The rights-of-way effectively have no purpose within the city's transportation infrastructure – they are paper streets that at one point provided access to the rear of properties fronting the Kelker Street – as they are currently running across vacant parcels covered in grass.

WHEREAS, the stretch of Kent Alley being vacated runs from the western boundary of the lot with the parcel ID #11-016-086 in the east 35' to the west and is 10' wide. Additionally, the small right-of-way connecting Kent Alley to Kelker Street, measuring 5' wide by 85' long, will also be vacated as part of this application.

WHEREAS, the Applicant is the owner of 100% of total linear feet of property fronting the right-of-way to be vacated and three properties (100% of the abutting properties) adjacent to the rights-of-way to be vacated, thus the application is a legally valid petition under the requirements of Article 29 of the Third Class City Code, Act of June 23, 1931, P.L. as amended.

WHEREAS, although CRW has not submitted their review as of the filing of this case report, the Planning Bureau notes that the Applicant should coordinate with CRW to maintain

any existing utility easements and/or remove any extraneous infrastructure from the right-of-way to be vacated.

WHEREAS, vacating these rights-of-way would allow the owner to remove the sole barrier to the eventual consolidation of all the parcels within the project area. It will support the future development of the site as an eight-unit apartment building with associated site and access improvements.

WHEREAS, the Planning Bureau notes that the City generally supports the vacation of streets with limited utility, particularly those running across privately-utilized property with no public access (aka, "paper streets") as they provide negligible benefit to traffic circulation and may incur costs to the City such as maintenance and liability.

WHEREAS, the Applicant has noted that the proposed vacation will allow the consolidation of parcels on the project site which will lead to the development of an eight-unit apartment building, which will bring much needed affordable housing to the city. The Applicant further notes that the public will also benefit from the stormwater management improvements that the development will provide, including installation of new infrastructure that will redirect runoff from the site into the existing stormsewer network.

WHEREAS, the City Engineer, Codes Bureau, Fire Bureau, and Police Bureau do not have any issues.

WHEREAS, the Law Bureau and Capital Region Water are currently reviewing the application.

WHEREAS, the Dauphin County Planning Commission's comments are attached.

DISCUSSION:

Mr. Knight gave a synopsis of the report, recommending Approval with Conditions; the conditions were that:

1. If there is water or stormsewer infrastructure managed by Capital Region Water running along or through the right-of-way to be vacated, the Applicant will coordinate with the authority to address any outstanding issues related to access or maintenance.

The case was represented by Daniel Wise with RJ Fisher Engineering (the project engineer), 1546 Bridge Street, New Cumberland, PA 17070; and Tarik Casteel with TLC Work Based Training Programs, Inc., 1821 Fulton Street, Harrisburg, PA 17102 (aka "the Applicants").

Commissioner Alsberry asked the Applicants whether the conditions in the case report were acceptable; they stated that they were acceptable. Commissioner Alsberry asked whether the Applicants had anything to add to the case report; they stated that they did not.

Commissioner Alsberry asked whether there was anyone from the public that was for or against the project; Ms. Baldock gave instruction to the public in attendance on how to request to be

unmuted so they could provide comment. Abey Abraham (1736 North 5th Street, Harrisburg, PA) noted that he and other neighbors had attended previous meetings at which the project had been reviewed, and that they had spoken with the Applicants. He asked whether the owner of the properties at Fulton & Kelker Streets had been notified of the proposed vacation, noting that the property owner used the vacation lot at the intersection to park their vehicles although he wasn't sure whether those lots were owned by that individual. Mr. Abraham stated that he wanted to know whether the Applicant intended to use those properties to park the vehicles for the proposed project. The Applicants noted that the portion of Kent Alley being vacated was only the portion adjacent to the properties that comprised the project site at 434 & 440 Kelker Street. They noted that the properties referenced by Mr. Abraham were one property removed from the project site and that the right-of-way behind those properties would remain as an unopened right-of-way. Mr. Casteel also noted that he owned the property on which the owner of the adjacent homes parked their vehicles, and that he allowed that individual to keep vehicles there. Ms. Baldock asked whether anyone else from the public wanted to provide comment. Mr. Abraham wanted to ask whether the Applicants were speaking with the owners of the referenced properties along Kelker Street, stating that he hoped they were maintaining communication; Mr. Casteel confirmed that he had spoken with that property owner recently.

Commissioner Alsberry asked whether any of the commissioners had comments or concerns about the project. None of the commissioners had any comments.

Commissioner Marek moved, and Commissioner Reed seconded the motion, to Approve the request with Staff Conditions. The motion was adopted by a unanimous vote (5-0).

RESOLUTION:

WHEREAS, the Harrisburg Planning Commission reviewed said request at its regular meeting on October 7, 2020, pursuant to the provisions of Chapter 7-503 of the Planning and Zoning Code, and heard testimony from the Applicants and the report of the Planning Bureau staff, which is attached hereto and made a part hereof.

NOW, THEREFORE, BE IT FURTHER RESOLVED that the Harrisburg Planning Commission, by a unanimous vote (5-0), recommends that the Harrisburg City Council **Approve** the request with the following condition(s):

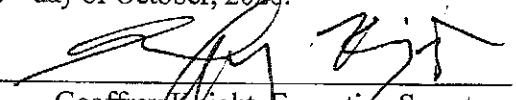
1. If there is water or stormsewer infrastructure managed by Capital Region Water running along or through the right-of-way to be vacated, the Applicant will coordinate with the authority to address any outstanding issues related to access or maintenance.

NOW, THEREFORE, BE IT FURTHER RESOLVED that the Harrisburg Planning Commission, by a unanimous vote (5-0), recommends that the Harrisburg City Council **Approve** the request for the following reason(s):

1. The existing Kent Alley right-of-way, and the other right-of-way (grocer's alley) is essentially a paper street running across a vacant lot; as such, the vacation will not have any impact on traffic circulation.

2. The proposed street vacation will permit the subsequent lot consolidation of the properties on the site, thereby allowing eventual development of the site to occur without necessitating requests for relief from aspects of the Zoning Code.

This is to certify that the foregoing Resolution is a true and correct copy of the Resolution adopted by the Harrisburg Planning Commission on the 7th day of October, 2020.



Geoffrey Knight, Executive Secretary