



City of Harrisburg Draft 2009 Zoning Code
Public Comments Submitted Late March-April 2010

Organization/ Individuals	Subject	Public Comment and Planning Bureau Response
<p>B. Peters, AIA Office for Planning and Architecture (OPA)</p> <p>Comments submitted 3/30/10</p>	<p>SPD District, Height Limits</p>	<p><i>Comments regarding a Downtown Height Restriction</i></p> <p>The Downtown areas should have clearly proscribed height restrictions for a number of important reasons:</p> <p><i>Encourage Market Activity to Development of Distressed Property</i> The City has current policies encouraging development expanding the CBD into three distressed areas:</p> <ol style="list-style-type: none"> 1) Along the 6th Street Corridor, 2) East from downtown into the Paxton Creek Basin and 3) South from downtown into the Southern Gateway and South Harrisburg Riverfront Areas. Sadly, the City does not have standing urban designs describing the intended development for these areas; thus, they are left to speculative valuation and speculative development. <p>Early investments in these areas indicate a pattern of very cheap construction and 'suburban-style' planning; they constitute extremely poor examples of city-building and a sure indication of the nature of subsequent projects if a clearly defined urban plan and supporting zoning is not provided prior to reinvestment.</p> <p><i>Current Conditions require transactional deals, not strategic investment</i> In Harrisburg area real estate there is a pattern of little appreciation due to the below-market rents. This condition is a function of the virtual monopoly on building space held by the State Government. The State has over 60% of the market, making it the preferred lessee of last resort. For the past 50 years--roughly equivalent to Harrisburg's post-industrial economic condition, speculative development entails developers justifying development based on the maximum possible development <i>fee</i>, as opposed to developers building an holding an asset while it appreciates. Thus, developers build cheap buildings, enter into a state lease, 'dump' the leased buildings to a pension fund and take their developer's fee. The land value paid for the building has little effect on the 'deal, since a subsidy will likely close the gap in the deal. Currently, with irrational land valuation, there is no benefit to a rationally planned build-out of an area based on known</p>



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		<p>capacity trends for the areas commercial and residential Markets. This information is known, but disregarded as owners of unrestrained land wait for an opportunistic deal; thus resulting in a paralysis of market operation ins the city. In short, every development is a constructed 'deal' rather than a rational market-driven development which will occur naturally--on rationally valued land-- in anticipation of the normal growth trends.</p> <p><i>We need to create zoning that rationalizes land value and encourages the development of many smaller, simpler buildings, under a variety of ownerships, into the local real estate market.</i></p> <p>By allowing 'limitless' height, zoning encourages complicated, government-aided 'deals' on land that is held opportunistically until the high price is paid that only a a subsidized deal can provide. Competition cannot occur. An open real estate market does not exist.</p> <p>Rational land valuation occurs when a known maximum building volume exists for a given parcel. Thus, the rational value of the land is 'backed out' by subtracting the known cost of development from the estimate return from prevailing rental rate revenues from the new building. Land values will stabilize around the rational yield of the site; if land has a limitless building height, land value will remain irrationally inflated in expectation of opportunistic demand, thus it remains undeveloped, <i>preventing</i> rational reinvestment in the downtown. Only clearly described building volumes will provide a basis for calculating clear, stable land values that will unleash market-driven development Harrisburg, since it will stay the motivation for land speculation.</p> <ul style="list-style-type: none"> • We know that central PA is unlikely to experience high growth in our lifetimes. (thus opportunistic speculation is irrational and permitted only as a get-rich-quick mechanism for the politically-connected) <ul style="list-style-type: none"> • We know that the regional absorbs about \$3M sf of commercial space every 5-8 years (each boom cycle).



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		<p>How tall? This policy will permit new grow to spread more rapidly into the new north east and southern development areas. Building need to be dense enough that they trigger strong, diverse street activity, perhaps an average of 12 stories is appropriate. If policy could allocate that development as mid-rise development (no taller that 12 stories), Harrisburg would 'fill-in' in 20 years and have the profile similar to street-scapes of downtown Washington or Barcelona.</p> <p><i>Better buildings (better city) when revenue come from rents</i> With speculative forces in abeyance, land of stable value provides increased return only when it is developed. After development, revenues can only be maintained when buildings are maintained. Maintenance of a high quality, well designed building is vastly more economical that maintenance of cheap construction.</p> <p>Through this system, any developer fortunate enough to bring a very large new tenant to Harrisburg would be encouraged to build multiple buildings in one of the planned expansion areas. Replacing blight with strong, cohesive urban fabric.</p> <p>Planning Bureau – The Planning Bureau will not propose a height limit in the Downtown Center zoning district. The revised Draft Zoning Code is attempting to allow modest height increases in other mixed use areas of the City, however.</p> <p><i>Comments regarding other Specific Conditions</i></p> <p>Harrisburg has numerous existing conditions that require specific Urban Design, such as the Capitol Complex, Riverfront, State Street, Paxton Creek Bluff and Reservoir Park. The City has the potential for new ares that require detailed urban designs: Sixth/Seventh Street Corridors, Academic core (including Dixon Center, William Penn, Polyclinic & HACC main campus) and the Paxton Creek/Street corridor.</p> <p>The desirable and memorable components of Harrisburg's built environment are designed primarily during</p>



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		<p>the period of the City Beautiful movement. We should be mindful of this and note the clear success of holistic planning and urban design.</p> <p><i>River Front</i></p> <p>The River Front should have an absolute height of 45'. Increasing away from the River: 45' (three stories) at river and increasing a to a maximum of the base of the Capitol dome . Harrisburg is a capital city, it owes its prestige and importance to the location of the presence of the State Capitol. that relationship should be respected. New Large Buildings should be placed in the Paxton Creek Corridor (old Paxton Commons) and Southern Gateway, NOT on the river. From these two locations building occupants will have fine views of the river.</p> <p>Again, if clear zoning and form-based planning eliminate the prospect of potentially large revenues from 'redevelopment upside' (replacing an existing building with a larger one), then the land value under the buildings of front street is rationalized (to a much lower rate that current pricing), there is no reason to hold them as rental property, waiting for redevelopment, the potential for 'upside' will be eliminated and the historic buildings can be rationally valued and used again as housing (a long-term investment).</p> <p><i>Capitol</i></p> <p>Hierarchy. The Capitol Building is more important than any imaginable use that will occur between it and the River. Thus there is no imaginable use that could challenge its place in the city-scape between the implementation of this Zoning Plan and its first update. Thus, in the absence of a more important institution, the symbolic importance of Capitol remains unchallenged.</p> <p>A Capital View-shed should be established in the form of an inverted cone rising very gently from the level of the building' cornice <i>beginning at edge of Third and Walnut Streets.</i></p>



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		<p><i>State Street</i></p> <p>Construction on State Street should be controlled by a clear form-based code. The recent south street garage and height allowance on the 2nd and State site (justified by a mediocre design) indicate a city without a clear understanding of its assets. State street should be limited to non-contiguous building of 100 foot maximum height no closer than 100 feet from another building greater than three stories, the 'variegated' streetscape of the juxtaposed domestic and monumentally scaled buildings is highly successful and should be maintained. There exist perhaps two sites (including the 2nd and state site) that should be larger buildings, both on the south side of the street. Then it should be declared "complete" as urban form and closed to demolition. This will encourage developers to place their time and capital in areas that are more in need of both.</p> <p><i>Paxton Creek Bluff</i></p> <p>A <i>densely wooded</i> Paxton Creek Bluff was a key element of the City's plan. The new zoning should extend the open space/recreation zone down the Creek and the bluff in anticipation of a future plan for the area which will likely reposition that land uses.</p> <p><i>Other Areas:</i></p> <p><i>Instead of SPD consider the term Heritage Character District</i></p> <p>Create a clear form-based plan that clearly describes the character in order to cultivate the desirable qualities of the district. Direct potential investors that wish to develop projects of conflicting aesthetics to building on one of the new development areas.</p>



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		<p><i>Special Architecture/Landscape preservation areas</i></p> <p>Anticipated Special Planning Districts (identify these in anticipation of future planning grants) such as Paxton Creek special reuse planning zone, and the academic core.</p> <p>Planning Bureau - The revised Draft Zoning Code will recommend a maximum height limit of 75' for the SPD zoning district along Front Street. Due to the fact that State Street between Riverfront Park and the Capitol is within a municipal historic district, any new development or expansion within this area must be reviewed by the Harrisburg Architectural Review Board (HARB).</p>
<p>C. P. Markley, Esq. Pinnacle Health</p> <p>Comments submitted 4/26/10</p>	<p>Institutional Zoning District</p>	<p>Thank you for the opportunity to review and comment on the City of Harrisburg's Draft Zoning Code. We have reviewed the proposed Zoning Code, Zoning Map, and the public comments that are available on the City's website.</p> <p>By way of background, Pinnacle Health System owns and operates two Campuses within the City: the Harrisburg Campus and the Polyclinic Campus. In the past decade, Pinnacle has made a significant investment in its Harrisburg Campus and specifically the Harrisburg Hospital. These projects include the construction of a substantial addition to the Harrisburg Hospital, construction of the Grass Medical Sciences Building, and most recently, the Hospital is in the process of an extensive expansion of its emergency department that will cost in excess of \$30,000,000.00. All of this expansion has been designed to meet the ever-expanding needs of the residents of the City of Harrisburg and its surrounding communities. The expansion of the emergency department was undertaken in large part because it is the facility of last resort for the many citizens who live in the City who do not have access to health insurance.</p> <p>Pinnacle has also constructed many ancillary facilities in the Greater Harrisburg Region, including the Community Campus in Lower Paxton Township and the Cumberland Campus in Hampden Township. Many of the services available at these suburban campuses allow patients</p>



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		<p>seeking specialized in-patient and out-patient care to be treated at locations close to their homes. This has reduced vehicular traffic to the Harrisburg Campus and allowed the Harrisburg Hospital to serve as the area’s acute care facility, while offering a complete range of services.</p> <p>What Pinnacle considers to be its Harrisburg campus is bounded by Chestnut Street to the North, Front Street to the West, Washington Street to the South, and Second Street to the East. Pinnacle owns all the land within these streets with the exception of the Harris Mansion. Under the current draft Zoning Map dated November 18, 2009, all of this property is proposed to be placed into a new institutional zoning district. Pinnacle owns other properties in the vicinity of the Harrisburg Campus, generally defined as the Southgate Building, that is proposed to be zoned Downtown Center.</p> <p>Our comments with respect to the 2009 Draft Zoning Code are as follows:</p> <p>a) While Pinnacle generally supports the concept of an institutional zone, and particularly supports the inclusion of the Polyclinic Campus in the Institutional Zone, Pinnacle believes that the Harrisburg Campus should more properly be zoned Downtown Center. The Harrisburg Campus is contiguous to and surrounded by the Downtown Center. Under the Institutional Zone, building height is limited to 100 feet. Portions of the Harrisburg Hospital already exceed 100 feet in height. We believe it would be improper to create a zone where there is already a significant non-conforming building.</p> <p>b) The Draft Zoning Code includes a definition of heliport in section 7-333.2 (a) (108), and private heliport in section 109. We were unable to locate any other references to heliports in the draft. Harrisburg Hospital currently has a private helipad on the roof of the 11th floor along Chestnut Street. This heliport is utilized to bring seriously ill patients to the Hospital, including for example neo-natal intensive care infants, heart attack patients, and patients coming to the toxicology center. The toxicology center is the only specialized poison center in Pennsylvania</p>



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		<p>and thus, admits patients from throughout Pennsylvania. The heliport is only used about 100 times a year, or about twice a week. When wind conditions permit, the helicopter pilots try to maneuver over the Susquehanna River as quickly as possible so as not to disturb neighboring residents. However, this is not always possible. We believe that a medical helipad is properly considered an accessory use to a hospital that should not require a special exception permit. For most patients who are arriving by air, transit by helicopter is literally a matter of life and death. The Hospital and those patients should not be dependent on the grant of a special exception any more than a patient who arrives by ambulance. We would note that in an earlier draft of the Zoning Code in 2003, the definition of heliport included the concept of an “emergency helipad” that was defined as “a heliport that is accessory to a medical hospital and which is only used for medical emergencies.” Pinnacle supports that definition and requests that a hospitals’ emergency helipad be considered an accessory use that does not require a special exception.</p> <p>c) Pinnacle has also reviewed comments made by the public and would like to respond to some concerns expressed by the public. An A. Mimran who resides at 111 Washington Street was concerned that the re-zoning is not part of “something more ominous and immediate in mind for the zoning committee such as a planned project by Pinnacle Health System that no one is talking about publicly.” We can assure A. Mimran and the City that Pinnacle has no planned projects that are not being discussed publicly. Other than the ongoing expansion of the emergency department, there are no projects currently planned for the Harrisburg Campus.</p> <p>d) There was also a suggestion from the Shipoke Neighborhood Association that some of Pinnacle’s properties within the Harrisburg Campus should be placed in the SPD zone, at least in part because “Pinnacle Health has not made public what it plans to do with [several of its] properties.” Again, Pinnacle has no plans at this time for any projects at the Harrisburg Campus other than the expansion of the emergency department. However, Pinnacle opposes SPD zoning as hospitals and many other uses are not permitted uses in that zone. Pinnacle believes that the Harrisburg Campus described above should be zoned Downtown Center.</p>



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		<p>Again thank you for the opportunity to comment on the Draft Zoning Code. We believe it is a substantial step forward in the City's efforts to adopt a new Code. Pinnacle plans to attend future public meetings in order to further participate in the review and approval process.</p> <p>Planning Bureau – The Harrisburg Hospital campus will be changed to Downtown Center and the Institutional zoning will be removed. Other institutional uses are not called out in the Downtown Center zoning district, such as Harrisburg University and Sci-Tech High, and it is consistent to show Harrisburg Hospital as part of the Downtown Center zoning district. The definition of emergency heliport will be added to the revised Draft Zoning Code and this use will be permitted by right in the Downtown Center, Institutional, and both Industrial zoning districts.</p> <p>Washington Street will become the dividing line between the Downtown Center zoning district and the Special Planned Development and Medium Density Residential zoning districts south of Washington Street.</p>