

City Planning Commission

Erie, Pennsylvania

February 17, 2009

-Agenda-

MEMBERS OF THE CITY PLANNING COMMISSION:

The regular meeting of the City Planning Commission will be on Tuesday, November 18, 2008 at **1:00 pm** in Room 500, Municipal Building, 626 State Street.

1. Roll Call
2. Approval of the November 18, 2008 regular meeting minutes of the City Planning Commission as received.
3. Approval of the 2008 Annual Report
4. Approval of the 5 re-appointed members of the City Design Review Committee
5. The Commission will review a Waterfront Conditional Use application submitted by Erie County Dept of Public Safety for a proposed Bayfront Surveillance system affixed atop a 75' pole located at the foot of Port Access Road, in a W-M Waterfront Manufacturing District.
6. The Erie Redevelopment Authority submitted a request to declare 11 properties as blighted in order to proceed with the Eminent Domain process. The properties are as follows:
 - 1015 Weschler Street
 - 2304 French Street
 - 119-127 E 24th Street
 - 240 E 22nd Street
 - 304 E 22nd Street
 - 2410 Parade Street
 - 1945 Fairmount Ave
 - 1949 Fairmount Ave
 - 618 W 26th Street
 - 3423 Regis Drive
 - 4038 Warsaw
7. The Commission will review a subdivision request made by Mr. Murat Borovina for the replot of 2116 Greengarden Blvd. Mr. Borovina wishes to purchase a 6.53'x128' strip of land from his adjoining neighbor; both properties in an R1, Low Density Residential District. The land survey meets all requirements of the Zoning and Subdivision Ordinances.

8. The Commission will review a subdivision request made by Mr. Jason Fultz for 945 West 9th Street, located in an R-2 Zoning District. Mr. Fultz wishes to subdivide this 41 x 100' lot from the neighboring church. A modification from section 805.7 of the Subdivision and Land Development Ordinance is also requested, as this subdivision does not meet the 6,000 square foot lot requirement.
The subdivision does not meet the lot and yard requirements of the Zoning Ordinance. Mr. Fultz requests the Planning Commissions approval contingent upon a dimensional variance approval by the Zoning Hearing Board. Mr. Fultz will be heard by the Board later this month.
9. The Commission will review a request made by Mr. Mike Redinger for the Subdivision of 2942-6 East 28th Street, located in R-1 Zoning District. The existing lot will be subdivided into two lots to accommodate the two existing homes. The Subdivision meets all requirements of the Zoning and Subdivision Ordinance.
10. The Commission will review a subdivision request made by Mike Sanford for the replot and sale of a portion of property at 2922 Ellsworth Avenue, located in a R1A Zoning District. The subdivision replot meets all requirements of the Zoning and Subidvision Ordinance.
11. The Commission will review request made by Mr. Robert Doyle for a subdivision replot of 1440 West 21st Street, located in an M-1 Light Manufacturing Zoning District. The western side yard line is proposed to be moved 10 feet to the west in order to expand his building. The subdivision replot meets all requirements of the Zoning Ordinance.
12. The Commission will review the proposed alteration to the definition of Dormitory in the Zoning Ordinance, drafted by the Zoning Officers and Solicitor's Office.
13. Adjourn

CITY OF ERIE PLANNING COMMISSION
RESOLUTION

WHEREAS, pursuant to 36 P.S. 17121.1 of the Pennsylvania Consolidated Statutes, the City of Erie Vacant Property Review Committee has come before the City of Erie Planning Commission; and

WHEREAS, the Blighted Property Review Committee has identified the following properties within the City of Erie:

- 1015 Weschler Street
- 2304 French Street
- 119-127 E 24th Street
- 224 East 24th Street
- 240 E 22nd Street
- 304 E 22nd Street
- 2410 Parade Street
- 1945 Fairmount Ave
- 1949 Fairmount Ave
- 618 W 26th Street
- 3423 Regis Drive
- 4038 Warsaw Ave

WHEREAS, the Vacant Property Review Committee has, pursuant to 35 P.S. 17121.1 (c) designated these properties as “blighted”; and

WHEREAS, the Vacant Property Review Committee is, pursuant to the statute, requesting that the City of Erie Planning Commission designate such property as blighted as that the same may be certified to the City of Erie Redevelopment Authority for action.

NOW, THEREFORE, be it RESOLVED that the City of Erie Planning Commission, following review of all information provided by the Vacant Property Review Committee and the city of Erie Department of Housing, hereby designates the above-referenced property as “blighted” as provided for in 35 P.S. 17121,1 (c).

So Ordered.

Date

CITY OF ERIE PLANNING COMMISSION

Secretary

By _____
Chairman

Zoning Ordinance Changes for Review

Front Yard Parking

Ideas: Parking pads or pavement prohibited directly in front of dwelling . This area shall be limited to living landscape, and may include walkway, porch or patio.

Dormitory Definition

A building or portion thereof which contains living quarters for ~~five~~ **four or more students**, staff or members of a college, university, primary or secondary boarding school, theological school, or other comparable organization, provided that such building is either owned or managed by such organization. ~~and contains not more than one cooking and eating areas~~ **This definition excludes single family and two-family dwellings.**

~~GROUP RESIDENCE FACILITY:~~

GROUP HOME

An establishment that provides room and board to persons who are residents by virtue of receiving supervised specialized services limited to health, social, rehabilitative or housing services provided by a governmental agency, their licensed/certified agents or other responsible non-profit social service corporation. These services shall be provided in a family environment and only to persons who are dependent children physically or mentally handicapped, under 18 years of age or elderly, 62 or more years of age not including facilities for the care or treatment of persons released from or under the jurisdiction of a government bureau of corrections or similar institution. The residents of the facility need not be related to each other. If a residence facility qualifies as a family, under this Ordinance, it is not governed by the restrictions in this definition. (Please also see Family.)

Small Group Home: may house up to six (6) persons
Large Group Home: may house six (6) or more persons

WIND ENERGY SYSTEM A wind energy system consisting of a wind turbine, a tower, and associated control or electronics, which will be used primarily to reduce onsite consumption of utility power.

(Note from Katie: This is a sample I came up with; take some/leave some)

305.49 Small Wind Energy Systems located in any Residential or Commercial District must comply with the following provisions:

- a) Small wind energy systems must have been approved by any small wind certification program recognized by the American Wind Energy Association. Documentation of this must be provided.
- b) Building permit applications for small wind energy systems shall be accompanied by standard drawings of the wind turbine structure, including the tower, base and footings. An engineering analysis of the tower showing compliance with the Uniform Building Code and certified by a licensed professional engineer shall also be submitted. (The manufacturer frequently supplies this analysis.)
- c) Small wind energy systems must comply with applicable FAA regulations, including any necessary approvals for installations close to airports.
- d) No small wind energy system shall not be installed until evidence has been given that the utility company has been informed of the customer's intent to install an interconnected customer-owned generator.
- e) A wind energy system will be considered abandoned if not operated for a period of one (1) year or if it is designated a safety hazard by the Chief Building Officer. Once a windmill is designated as abandoned, the owner shall be required to immediately dismantle the structure.

Wind Energy Systems allowed by Special Exception: A person wishing to install a windmill which does not conform with the Lot Yard and Height requirements set forth in Section 205 may apply to be heard by Zoning Hearing Board for a Special Exception. In addition to the above requirements, the Board shall consider the following:

1. That the deviation is essential to the effective operation of the windmill
2. That the deviation will not cause the windmill to generate excessive noise, interruption of television or radio station reception, or otherwise derogate substantially from the public good.

(I know, we don't have a noise ordinance/ this provision is non-enforceable. How can we fix this? Remember, also, that we want to encourage alternate energy sources. TOO MANY rules is a turnoff.)

Cellular Tower Requirement (in response to Verizon Wireless)

Directional or panel communications antennas shall not exceed five ~~(5)~~ feet in height and three ~~(3)~~ feet in width *fifteen (15) square feet in area.*

205.15 Accessory structures atop of buildings, including but not limited to chimneys, stacks, elevator bulkheads, penthouses, electric signs, wireless towers, ornamental monuments or spires, and other necessary mechanical appurtenances may be erected or extended above the height limit of the district, provided that any such structure shall set back from the vertical plane of the permitted building line one (1) foot horizontally for each two (2) feet of extra height.

~~Appurtenances to buildings, chimneys, stacks, elevator bulkheads, penthouses, gas or water towers, cooling towers, stage towers or scenery lofts, electric signs, wireless towers, and other necessary mechanical appurtenances, where permitted by Building Code and Use Regulations, and erected upon and as an integral part of the building, or a monument, shaft, spire, dome, tower, if erected for ornamental purposes only, may be erected or extended above the height limit of the district, provided that any such structure shall set back from the vertical plane of the permitted building line one (1) foot horizontally for each two (2) feet of extra height.~~

Detached accessory structures, including but not limited to flag poles, communication towers, antennas, wind turbines, or any similar slender structure which is not attached to a structure incorporating a subsurface foundation and which is over forty (35) feet in height shall have complete structural drawings and specifications prepared by a registered professional engineer. Such detached structures may exceed the height limits of the district, and shall not be located from the nearest property line less than 110% of its height above grade.

205.19 In a Residential District any fence, hedge or enclosure within the required front or side yard space shall not exceed a height of six (6) feet six (6) inches. In a non-Residential District any fence, hedge or enclosure within the required yard space shall not exceed a height of eight (8) feet six (6) inches. Where there is a boundary line between the two districts, the less restrictive 8'6" height shall be permitted.
