

City Planning Commission

Erie, Pennsylvania

December 15, 2015

-Minutes-

MEMBERS OF THE CITY PLANNING COMMISSION:

The regular meeting of the City Planning Commission was held on Tuesday, December 15, 2015 at **12:55 pm** in Room 500, Municipal Building, 626 State Street.

1. *Roll Call*

Members Present: Don Marinelli, Gary Antalek, Thomas Dworzanski,
Mark Kloecker, and Richard Speicher

Members Absent: None

2. On a motion by **Mr. Antalek**, seconded by **Mr. Kloecker**, the November 17, 2015, meeting minutes were approved unanimously as received.

3. *The Commission reviewed a subdivision submitted by The Sisters of Mercy regarding property located at 444 East Grandview Blvd. The proposed subdivision will create a 1.89 lot with a residue lot of 11.17 acres. A variance was secured for the side yard setback on December 8, 2015. The property is located in the R-3 High Density Residential district.*

Mike Fetzner, the attorney for The Sisters of Mercy, was present to explain the subdivision. Mr. Fetzner stated that The Sisters of Mercy are divesting their property. At this time, The Sisters of Mercy are conveying the property with the apartments to the tenants of that building. When questioned by the Commission about the bridge that spans the proposed property line, it was stated that a variance was obtained from the Erie City Zoning Hearing Board. An easement will be in place so that the tenants of the apartment building and the sisters may use the connecting bridge.

On a motion by **Mr. Antalek** and seconded by **Mr. Kloecker**, the subdivision was approved since all requirements of the Erie City Subdivision and Land Development Ordinance were met.

4. *The Commission will review an application submitted by KidderWachter Architecture & Design for a proposed stage cover located at Liberty Park (index no. 4046-200). The property is zoned Waterfront Commercial.*

Brenda Sandberg, executive director of the Erie-Western Pennsylvania Port Authority, and Jeff Kidder and Matthew Taylor, both representing KidderWachter Architecture & Design, were present to explain the project. Ms. Sandberg stated that last year, high winds managed to knock down the tension tent. KidderWachter was hired to design the proposed amphitheater. The new amphitheater will be permanent and possibly allow the season to extent longer into the year and allowing Liberty Park to be more of an asset to the community.

Mr. Kidder began describing the project. There is a 40'X60' existing concrete slab there will remain. The proposed amphitheater is designed for minimal earth disturbance but to be a focal point. The design has an arched roof with a formal front to provide more interest to the structure. The approximate dimensions of the amphitheater are 56'X88'. The roof will be blue laminated arches held up by eight columns. The columns will have concrete bases with wood so that the wood will be off the ground. The wood and concrete will have a color contrast. The color off the roof is blue regal that will allow the amphitheater to fit into the character of the bay. The plans have no lighting or electrical work involved. Currently, there is a lift for wheelchair access but they are currently exploring a ramp.

The Commission had several questions regarding the proposal. Mr. Antalek had questions regarding the signage of the sponsor, specifically stating that he considers any sponsors' names on the amphitheater to be outdoor advertising, which is not permitted in any waterfront district. Mr. Gerald Villella, assistant solicitor for the City of Erie, stated that it was his legal opinion that any sponsor names would not be considered outdoor advertising. Ms. Sandberg said that the current sponsorship is ending in May. Any new sponsor names will be tasteful with signage on both sides of the amphitheater. The letters for any proposed signage would not exceed 14 inches, Mr. Taylor stated. Mr. Dworzanski asked if any signage would be flashing. Mr. Kidder replied that signage would not be flashing.

Mr. Speicher added that he would like to see any future alterations to the amphitheater under the 20% threshold as defined in Section 306 of the Erie City Zoning Ordinance be brought back to the Design Review Committee and Planning Commission for their recommendations. Both Ms. Sandberg and Mr. Kidder replied that, mostly likely, any future changes to the amphitheater would be over the 20% threshold and require the appropriate review for conditional uses in the waterfront districts. Mr. Dworzanski's final questioning involved how the materials will handle the elements. Mr. Kidder replied that all materials and construction will be up to code.

On a motion by **Mr. Kloecker**, and seconded by **Mr. Marinelli**, the Planning Commission voted 4-1, with **Mr. Speicher** voting against recommending approval, with the following recommendations: that sponsorship signage be substantially similar to what was presented. Mr. Speicher voted against recommending approval citing his concern over any substantial changes under 20% not being brought back for review.

5. *The Commission is hereby directed to comment and make recommendations regarding an amendment to the Zoning Ordinance of the City of Erie, Ordinance No. 80-2005, for adding and amending defined terms, establishing certain general and specific standards relating to the location, placement, construction and maintenance of Tower-based Wireless Communication Facilities and Non-tower Wireless Communication Facilities.*

Bob Ritter was present to address the Commission from Crown Castle, a telecommunications company. Mr. Ritter began by stating that his company has been working in the City for some time. There are no issues with the ordinance, in general. There are, however, a few concerns that should be addressed. To begin with, tower-based and non-tower-based definitions appear to be ambiguous. Also, the proposed ordinance would govern the right-of-way, which is the main concern of Crown Castle. Mr. Ritter explained that telecommunication are similar to other utilities and should be administratively reviewed. All utilities should be treated equally. Further, there is a blanket prohibition in historic districts. This is too restrictive and will limit coverage, in his opinion.

Mr. Ritter further explained that the facilities for telecommunication equipment is unobtrusive and with people abandoning land lines, the increase demand for wireless communication will not be met in historical district as the ordinance is worded. All towers go through a federal review regarding historical resources. Equipment can always be designed in such a way as to fit within a historical district without negatively impacting the public right-of-way. What Mr. Ritter thinks would be in everyone's benefit is design standards for historical districts.

With a motion by **Mr. Speicher** and seconded by **Mr. Kloecker**, the amendment was unanimously recommended for approval as presented provided that all sections regarding historic districts are removed.

6. *Elections:*

On a motion by **Mr. Speicher** and seconded by **Mr. Marinelli, Mr. Kloecker** was unanimously voted Chairman of the Erie City Planning Commission for 2016.

On a motion by **Mr. Speicher** and seconded by **Mr. Antalek, Mr. Dworzanski** was unanimously voted Vice Chairman of the Erie City Planning Commission 2016.

On a motion by **Mr. Speicher** and seconded by **Mr. Kloecker, Mr. Matthew Puz**, City Zoning Officer, was unanimously voted Secretary of the Erie City Planning Commission.

7. *With all business completed, the Commission adjourned at 2:15 PM.*