

City Planning Commission

Erie, Pennsylvania

December 20, 2016

-Minutes-

MEMBERS OF THE CITY PLANNING COMMISSION:

The regular meeting of the City Planning Commission was held on Tuesday, December 20, 2016 at **1:00 pm** in Room 500, Municipal Building, 626 State Street, Erie PA.

1. *Roll Call*

Members Present: Mark Kloecker, Thomas Dworzanski, and Richard Speicher

Members Absent: Don Marinelli

2. *Approval of November 15, 2016 regular meeting minutes*

On a motion by Mr. Kloecker, seconded by Mr. Speicher, the November 15, 2016 regular meeting minutes were approved as received.

3. *Election of 2017 Officers*

On a motion by Mr. Speicher and seconded by Mr. Dworzanski, Mr. Kloecker was unanimously voted Chairman of the Erie City Planning Commission for 2017.

On a motion by Mr. Speicher and seconded by Mr. Kloecker, Mr. Dworzanski was unanimously voted Vice Chairman of the Erie City Planning Commission for 2017.

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.

4. *Design Review Committee Appointments*

Shelley Beuhler, currently serving on the Design Review Committee, is seeking to be re-appointed to the Design Review Committee for a four-year term, which will expire December 31, 2020. Chris Mong is seeking to be appointed as the Economic and Community Development representative to the Design Review Committee for a four-year term, which will expire December 31, 2020.

On a motion by Mr. Dworzanski and seconded by Mr. Kloecker, Ms. Beuhler and Mr. Mong were unanimously appointed to the Design Review Committee for four-year terms.

5. *Subdivision replot submitted by William Reigel*

The Planning Commission reviewed a replot submitted by William Reigel. The proposed replot will move a lot line and create a 3,731 square foot lot at 2401 Plum/825 W 24th Streets and a 1,795 square foot lot at 821 W 24th Street. A modification request was submitted for the proposed lot sizes since they do not meet the provisions of Section 805.7 of the Erie City Subdivision and Land Development Ordinance: “Lot size and area, height regulations, and yard requirements shall be in accordance with the City Zoning Ordinance, but shall not be less than sixty (60) feet in frontage by one hundred (100) feet in depth.”

Michael Agresti, attorney for Mr. Reigel, explained the justification for the proposed subdivision, indicating that the replot will eliminate an existing property line encroachment on an existing building on the adjacent lot. This replot was also necessary to clarify ownership of the building/property to enable a future sale of the lot.

With the letter of modification submitted, on a motion by Mr. Speicher and seconded by Mr. Kloecker, the replot was approved.

6. *Subdivision replot submitted by Amy and Brian Albert and Brian and Catherine Logan*

The Planning Commission reviewed a replot submitted by Amy and Brian Albert and Brian and Catherine Logan. The proposed replot will move a lot line and create two equal lots of 57.18’X123.41 at 343 and 353 W 24th Street. A modification request was submitted for the proposed lot sizes since they do not meet the provisions of Section 805.7 of the Erie City Subdivision and Land Development Ordinance: “Lot size and area, height regulations, and yard requirements shall be in accordance with the City Zoning Ordinance, but shall not be less than sixty (60) feet in frontage by one hundred (100) feet in depth.”

Angelo Alphonse, owner of 353 W 24th Street, explained the justification for the proposed subdivision, indicating that he recently purchased the property and discovered an existing property line encroachment on the existing driveway serving the lot. The replot will eliminate the encroachment and result in a more usable/functional lot, without adversely affecting the use or function of the adjacent lot.

With the letter of modification submitted, on a motion by Mr. Kloecker and seconded by Mr. Dworzanski, the replot was approved unanimously as submitted.

7. *Subdivision replot submitted by Transportation Investment Group LP*

The Planning Commission reviewed a replot submitted by Transportation Investment Group LP. The proposed replot will move a lot line and create a 36024.12 square foot lot at 15-2113-102 and a 3.088 acre lot at 1554 East 12th Street. A modification request was submitted for the proposed lot size and depth-to-width ratio for parcel 15-2113-102 since it does not meet the provisions of Section 805.7 of the Erie City Subdivision and Land Development Ordinance (SALDO): “Lot size and area, height regulations, and yard

requirements shall be in accordance with the City Zoning Ordinance, but shall not be less than sixty (60) feet in frontage by one hundred (100) feet in depth.” and Section 805.1 of the SALDO: “The depth-to-width ratio of usable lot length shall be a maximum of four (4) to one (1).”

John Laird, registered land surveyor, described the nature of the proposed subdivision, indicating that the replot was done to allow for expansion of the existing use of the property at 1554 East 12th Street, without adversely affecting the use or function of the adjacent lot.

With the letter of modification submitted,, on a motion by Mr. Speicher and seconded by Mr. Kloecker, the replot was approved unanimously as submitted.

8. *Conditional use application submitted by Lake Front Realty, LLC. for an eating and drinking place in the WC Waterfront Commercial district*

The Planning Commission reviewed and made a recommendation to City Council for an application submitted by Lake Front Realty, LLC for an eating and drinking place located at East Dobbins Landing (tax parcel ID 1046-103). The property is located in the WC Waterfront Commercial district.

Adam Trott, architect for the project, was present to discuss the project. Mr. Trott stated that the proposed eating and drinking place will be a floating bar. The floating bar would be a seasonal use from May to September. The required amount of greenspace for the project is 1,320 square feet; 1,800 square feet will be provided. The plan proposes to move the strip of interior greenspace elsewhere to accommodate delivery trucks. Greenspace will potentially be provided in the right-of-way. According to Section 306.64.4(a), the Planning Commission can approve the relocation of the required landscaping if the application will seriously limit the function of the area.

The Planning Commission voted to approve the relocation of the required landscaping on the east property line since the provided greenspace exceeds the requirement and the relocation will provide access for emergency vehicles. On a motion by Mr. Kloecker and seconded by Mr. Speicher, the Commission recommended approval of the conditional use.

9. *Vacation of a public alley submitted by Pol’s Real Estate and Pro Waste Services, Inc.*

By City Council initiative, the Planning Commission reviewed and made a recommendation to City Council regarding the vacation of a public alley submitted by Pol’s Real Estate and Pro Waste Services, Inc. The alley is located between East 18th and East 19th Streets and Wayne Street and Buffalo Road.

Tim Zieziula, attorney for Pro Waste Services, Inc., was present to explain the alley vacation. Mr. Zieziula stated although the alley has been historically present, the alley is not functionally there. The purpose of vacating the alley is to construct a waste transfer facility on the properties. Proper notification was given to the utilities regarding the alley vacation.

The Commission stated that the alley closure is consist with the Erie City Comprehensive Plan. On a motion by Mr. Kloecker and seconded by Mr. Speicher, the Commission recommended to close the alley.

10. *Rezoning of parcels 18-5032-200, 202-211, 214-238, 241, and 243 from M-1 Light Manufacturing and R-2 Medium Density Residential to M-2 Heavy Manufacturing*

By City Council initiative, the Planning Commission reviewed and made a recommendation to City Council regarding the rezoning of parcels 18-5032-200, 202-211, 214-238, 241, and 243 from M-1 Light Manufacturing and R-2 Medium Density Residential to M-2 Heavy Manufacturing.

Tim Zieziula, attorney for Pro Waste Services, Inc., was present to explain the rezoning request. Mr. Zieziula stated that Pro Waste Services, Inc. is proposing a waste transfer facilities on these properties. The M-2 district permits waste transfer facilities. Currently, solid waste cannot be stored on-site without a permit through the Pennsylvania Department of Environmental Protection (DEP). The rezoning is necessary for DEP approval.

On a motion by Mr. Kloecker and seconded by Mr. Speicher, the Commission recommended that the rezoning be approved since:

1. This is a natural extension of the M-2 district;
 2. The M-2 district permits solid waste transfer stations;
 3. The rezoning is consistent with the Erie City Comprehensive Plan.
11. The Planning Commission continued their review of regulations, or the lack thereof, within the City concerning urban agriculture or crop farming, and to make a recommendation to the City Council for any appropriate amendments to the Zoning Ordinance to permit such land uses with proper safeguards and restrictions.

The Commission reviewed the current draft of the proposed urban agriculture zoning amendment. The Commission decided to leave market gardens as a special exception in the RLB Residential Limited Business district. The Commission also added that the section regarding fences contains provisions to maintain the clear sight triangle regardless of the fence or crop present and that all fences are to be a minimum of three (3) feet in height. Language from the definition of Light Manufacturing will also be insert into the compost section of the amendment to address pesticides.

12. With all business completed, the Commission adjourned at 2:35 PM.