

City Planning Commission

Erie, Pennsylvania

November 17, 2020

-Minutes-

The regular meeting of the City Planning Commission was held Tuesday, November 17, 2020 at 1PM via Zoom webinar.

1. *Call to Order / Roll Call*

Member Name	Present	Absent
Mark Kloecker, Chair		X
Richard Speicher, Vice-Chair	X	
Armand Chimenti	X	
Erica Jenkins	X	
Jason Wieczorek	X	
Amanda Burlingham [Alternate]	X	

Four of five members present; quorum achieved

2. *Approval of October 20, 2020 meeting minutes of the City Planning Commission*

On a motion by Mr. Speicher, seconded by Mr. Wieczorek, the Planning Commission voted unanimously to approve the meeting minutes as received.

3. *Review of a subdivision of land located at 602 West 10th Street [Index # 3035-100], prepared by Sanford Surveying & Engineering for the Brecht Company. The property is located in a Medium Density Residential [R-2] district.*

Mr. Peter Burton, representing the Brecht Company, was present to describe the proposed subdivision and answer questions from the commission members. He explained that the purpose of the subdivision was to create separate parcels for three existing dwellings fronting on W 9th St. as well as creating an adjacent separate vacant parcel for future residential development, which are all currently located on one parcel along with several other buildings related to the business operation there.

Mr. Welsh indicated that a modification request was submitted with the subdivision plans. Per the request, the spacing of the existing homes does not allow lot sizes which meet the SALDO 60 feet x 100 feet requirement. The request noted that the proposed lots meet City of Erie Zoning Ordinance requirements, which include front setback, side yard setback and rear yard setback, and that the requested modification from the SALDO is necessary to enable the property subdivision and is not contrary to the public interest or to the purpose and intent of the Ordinance.

On a motion by Mr. Wieczorek, seconded by Ms. Jenkins, the Planning Commission voted unanimously to approve the subdivision as presented.

4. *Review of a waterfront conditional use application for construction of a 10 unit, 3 story wood frame Multiple Family Dwelling located at 946 West 2nd Street (parcel ID 4038-114) submitted by PE REAL ESTATE HOLDINGS, LLC. The property is located in a Waterfront Residential [WR] district.*

Mr. Philip Gesue, representing PE REAL ESTATE HOLDINGS, LLC, was present to describe the proposed development and answer questions from the commission members. Members were provided with a presentation of the proposal illustrating the building design, site plan layout and various technical details.

Members were also provided with a report from the City Dept. of Planning and Neighborhood Resources recommending approval of the development based on the following:

- Multiple-Family Dwellings are a Conditional Use in a W-R Waterfront Residential zoning district and are subject to the requirements of Section 306 of the City of Erie Zoning Ordinance – Conditional Uses – Waterfront Districts.
- On November 4, 2020, after review and presentation of the development, the Design Review Committee voted unanimously to approve the building and site design as being consistent with Section 306 of the Zoning Ordinance.
- On November 10, 2020, the Zoning Hearing Board voted unanimously to grant a dimensional variance to allow for a front yard setback of 159'. With the approval of the variance, the development is in compliance with the requirements of the City of Erie Zoning Ordinance.
- The development is consistent with the Erie Refocused Future Land Use Map (p. 91) which designates the area as "Medium Density Residential with Supportive Parks and Commercial." The development also aligns with the plan's goal of creating housing options for a wide variety of household types (p. 27).

On a motion by Mr. Speicher, seconded by Mr. Chimenti, the Planning Commission voted unanimously to approve the conditional use application as presented.

5. *Review of proposed amendments to the City of Erie Zoning Ordinance under Article 6 – Definitions and Article 7 – Historic Resource Preservation.*

Ms. Kathy Wyrosdick, City Planning Director, was present to describe the proposed amendments. The amendments will update the ordinance language for historic resource protection and creation of a Historic Review Commission as recommended in the Historic Preservations Task Force's report to the City Council and Mayor.

A priority recommendation is for the City to become a Certified Local Government (CLG) in order to access the tools, funding and technical assistance to advance preservation efforts and protection for historic assets. In preparation to become a CLG community, updates to Article 7 of the Zoning Ordinance are needed in order to satisfy the requirements of the State Historic Preservation Office (SHPO) as well as provide for a proper review and approval for historic resources within the City.

A next step will be to amend the Zoning Map to designate one or more HP District(s) as an overlay zone. An overlay zone can encompass one or more underlying zoning districts and imposes additional requirements above that required by the underlying zone. A Historic Resources Protection Map will be a companion to the City's Official Zoning Map. This map will be based upon comprehensive surveys and inventories of designated historic/cultural resources. The map may contain all, or portions, of the City. Requests for designation of a historic district will be permitted as outlined in the review and approval process prescribed in Article 7.

Another next step will be to establish a Historic Review Commission (HRC) consisting of five (5) citizen members, the majority of whom shall reside in the City of Erie. The membership positions will be filled by appointment by the Mayor and by City Council. One member must be a professional preservationist or an architectural historian, one member must be an architect who has an interest and background in historic preservation, one member must be a representative of the viewpoints of the real estate community, and two members must have demonstrated an outstanding interest and/or knowledge of historic preservation or community revitalization in the City of Erie.

There was also general discussion on the administrative processes and establishment of design standards, which will be addressed and developed after the ordinance amendments are finalized and adopted. No motion was requested or made, additional revisions and a final draft are still being prepared to present to the members at the next meeting.

6. *Review and recommend guidelines for possible short-term rental regulations*

Ms. Tessa Ferraro, City Zoning Officer, gave members an updated report incorporating comments from the previous month's discussion, noting that no recommendations have been finalized yet. There was additional discussion and preliminary agreement on finalizing the definition for the short-term rental [STR] use, and identifying some of the zoning districts it made sense to allow the use in. It was agreed that additional work was needed on describing the operational conditions required, to incorporate into a final recommendation.

After additional discussion among the commission members, the floor was opened to public comment. Opinions and comments from those attending were mostly

supportive but there were also opposing comments as well, generally all related to potentially permitting STR's in R-1 and/or R-1A zoning districts. A discussion point brought up from the previous meeting was the legality of whether STRs are allowed in R-1 districts based on the PA Supreme Court decision. Per the last meeting, the question was referred to the City Solicitor for a legal opinion on the subject. The City Solicitor's opinion is that the court decision does not prohibit the use in single family zoning districts as opposed to other types of residential districts. The municipality has the authority to permit the use in any zoning district.

After further discussion, the Planning Commission agreed that the next step is to prepare a preliminary draft of proposed amendments in ordinance form for planning commission review prior to finalizing the recommendation to Council.

7. Adjournment