

March 1, 2022

The regular meeting of the Millcreek Township Planning Commission was held on Tuesday, February 1, 2022, at 5:30 p.m. in the Assembly Room of the Millcreek Township Municipal Building, 3608 West 26th Street. Planning Commission members present, Chairman Mr. Gene Strohmeier, Messrs. Kubeja, Sitter, Prozan, and Mrs. McCabe. Also, present were Matthew Waldinger, Director of Planning & Development, Matthew Puz, Zoning & Development Officer, Julie Maggio, Assistant Zoning & Development Officer, and Attorney Jennifer Hirneisen, Counsel for Township. Absent was Messrs. Skellie, Stewart, and Reade.

The meeting was called to order at 5:34 PM by Mr. Strohmeier.

At this time, Mr. Strohmeier informed the public that the Planning Commission proceedings were streamed live online and are accessible at <https://www.millcreektownship.com/meetings>.

Following the Salute to the Flag, a motion was made by Mr. Kubeja, seconded by Mr. Sitter, and carried that the Minutes of the Meeting of February 1, 2022, be approved.

The following Subdivision/Land Development Plan were heard:

PHILLIPS EDISON & COMPANY. Small Subdivision Plan. A subdivision plan to show the replot of 2519 West 12th Street (tax parcel 33-32-174-37) to create a 1.063-acre lot and a residual lot of 13.485 acres, Yorktown Plaza (tax parcel 33-32-174-38.03), along the south line of West 12th Street, west of Pittsburgh Avenue, in Tract 14. **Indices 258-003 and 083**

Justin Thornton, 1501 Readsdale St., Pittsburgh PA, spoke on behalf of this petition. He stated that this parcel was in the Yorktown Plaza where Chick-Fil-A was located. The subdivision was for tax purposes.

There were no other public comments.

After discussion, it was moved by Mr. Kubeja seconded by Mr. Prozan and carried 5-0 to recommend approval of the petition to the Board of Supervisors.

AHN JIB. Land Development Plan. A land development plan to show the construction of a 9,690 square foot restaurant with a proposed deck and patio with associated parking and stormwater management facilities at 3531 West Lake Road (tax parcel 33-17-79-8), along the south line of West Lake Road, east of Linden Avenue, in Tract 9. **Index 224-008**

Laura Guncheon, 1540 E Lake Rd., Erie Management Group, spoke on behalf of this petition. She stated that this property was rezoned and was the location of the former Alto Cucina Restaurant. The property was zoned C-2 General Commercial District and R-1 zoning in the rear of the property. In 2020, they combined the two parcels by deed and last month they consolidated by deed 713 Linden Avenue into 3531 W Lake Road. All the structures at 3531 W Lake Road needed to be demolished in the near future for the new construction. The current condition was beyond repair. They submitted a stormwater management plan to the Township. AHN JIB is a unique fine dining experience with 9600 square feet of indoor/outdoor seating and access to cover outdoor seating. The proposed seats were 298 with 109 parking spaces. On the map, there were ninety-two parking spaces with seventeen land banked spaces, which they did not anticipate immediately needed. Planting and screenings were provided as well as end cap plantings. The two existing accesses to the property would be used and a highway occupancy permit was required.

Dustin Thornton, 825 Linden Ave., stated he was worried about how the proposed would affect the traffic on Linden Avenue especially since the driveway on Linden Avenue has not been used in the past. He also wanted to know what they were doing with the wooded lot behind the building.

Mr. Strohmeier commented that it would be hard to know about the traffic since they were not open for business. Mr. Thornton responded that he understood and that a restaurant business has a 50% failure in the first five years, and they may not have any traffic.

Ms. Guncheon informed Mr. Thornton that the secondary driveway location was for emergency purposes. The plan was to have ingress on West Lake Road and that the green space was zoned R-1 and would remain wooded because they have no plans for that area. Mr. Thornton then asked if they would be interested in selling the wooded area so he could preserve his backyard. Ms. Guncheon gave her contact information to Mr. Thornton so they could talk further.

Mr. Waldinger asked Ms. Guncheon about the access off West Lake Road and if they had any intention of making it a two-way access or request it from PennDOT. Ms. Guncheon replied not at this time unless there was a compelling argument to do so. Ms. Guncheon also informed the neighbors that they would be happy to put signs slow children at play. Mr. Thornton expressed that one way in sign would help also.

There were no other public comments.

After discussion, it was moved by Mr. Prozan seconded by Mrs. McCabe and carried 5-0 to recommend approval of the petition to the Board of Supervisors.

New Business was heard:

The Planning Commission reviewed the proposed update to the Millcreek Township Zoning Ordinance, Chapter 145 of the Millcreek Township Code, in accordance with Act 247 of 1968, as amended, the Municipalities Planning Code. A formal recommendation on the Zoning Ordinance by the Planning Commission is scheduled for the meeting of April 5, 2022.

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Mr. Waldinger read aloud the summary of changes as follows from the December 8th meeting:

- Added in the definition section of electronic vehicle and charging station.
- Added definition agricultural activities in the residential district as farm, livestock, chickens, and ducks.
- Added definition of Presque Isle corridor.
- Consolidated the Mixed Use (MU) two and Mix Use 3 District into a new Mixed Use (MU) two.
- Retail is now a permitted use in MU 2 District.
- MU 1 District was a smaller scale neighborhood focus mixed use area.
- Updated lighting standards on technical comments they received.
- Have removed the height limit on lighting poles in a commercial district.
- Convenience store was updated with regulations to reflect the standards in the PA flammable liquids act.
- Limited lodging standards was modified and remove the upper limit of days in the long-term category.
- Limited occupancy to two persons per bedroom.
- Require smoke detectors and fire alarms in homes used a limited lodging.
- The language mentioned for gas canopies being built behind buildings was removed.
- Setback of fifty' from the right-of-way for any fuel island, canopies can hang beyond that.
- Clarified regulations for billboards based on comments and industry standards.
- Removed the limit of parking permitted in front of structures.

Greg Baldwin, 2540 Village Common Dr., stated that the Township and the Administration had worked hard on this Ordinance and had taken a lot of public comment and listened and reviewed the comments. He appreciated the continued efforts to review their comments and talk with them. He e-mailed comments to the members and administration. He commented that the Presque Isle District and the creation of the Presque Isle Corridor concerning the build to requirement would inhibit development and redevelopment in the district. He felt it did not give any incentive to build or rebuild in the district. They were for new landscaping, changing the traffic patterns, making the area walkable, and wanting people to have somewhere to go. There would not be development of new buildings because of the regulations. He asked that the Supervisors read the comments he had given.

Michael Peck, W 12th Street, stated that he would like to commend the Township on the changes they have made so far. He was happy that they have adapted and listened to their comments. He was concerned with electrical charging stations. He had a relative that was the head of development from a large company (Florida, Georgia, and South Carolina) of electric cars. The country was going toward electric vehicles. The problem was where are you going to charge them at. He felt that this industry would transform, and new prototypes would have a combination of fuel and recharging. He felt that there was a convenient store component to the charging stations. He was not in favor of a non-conforming use that would have to apply for a conditional use.

Daryl Terella, 5050 W Ridge Rd., stated that the Township had made a lot of good changes with the Ordinance. He suggested that C2 District permit the use of convenience stores and gas stations. MU2 (West 26th Street and by the Millcreek Mall) should permit large convenience stores or conditional use for a small convenience store (former K-Mart building as an example). He also commented that having buildings close to the street would be an issue with re-development. Winter plowing would make it difficult for people to walk. Lastly, the temporary signs limitation of 60 days in general requirements would not be long enough for real estate sales. He wished everything could sell in 60 days and this time limit should be changed.

There being no further business to come before the Commission, the meeting was adjourned on motion by Mr. Prozan seconded by Mrs. McCabe and carried unanimously at 6:37 PM.

Pete Kubeja ~ Secretary