

April 5, 2022

The regular meeting of the Millcreek Township Planning Commission was held on Tuesday, April 5, 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 Strohmeyer, Messrs. Kubeja, Skellie, Sitter, Stewart, Prozan, Reade, 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 Mark Shaw, Counsel for Township.

The meeting was called to order at 5:30 PM by Mr. Strohmeyer.

At this time, Mr. Strohmeyer 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 March 1, 2022, be approved.

The following Subdivision/Land Development Plan was heard:

ROBERT W & ELISE E SESLER. Small Subdivision Plan. A subdivision plan to show the creation of two lots, Parcel A, a 10,999 square foot lot, and Parcel B, a 9,375 square foot lot, from the lot located at 1647 West Gore Road (tax parcel ID 33-120-542.0-005.00), at the southeast intersection of West Gore Road and Greenwood Street, in Tract 346. **Index 724-046**

Robert Sesler, 3030 Loveland, spoke on behalf of this petition to subdivide.

There were no other public comments.

After discussion, it was moved by Mr. Stewart seconded by Mr. Skellie and carried 7-0 to recommend approval of the petition to the Board of Supervisors.

New Business was heard:

Matthew Waldinger, Director of Planning & Development summarized 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 to the Planning Commission members as follows:

1. Some modifications were made involving agricultural uses and activities to respond to some concerns that had been raised. There were questions on how to better address the keeping of traditional "farm" animals, as well as smaller animals such as chickens. Agricultural activities are still viable in the areas of the Township zoned Conservation Residential, and we felt the added clarity would be beneficial. Some of the changes include to:
 - a. Definition of Agricultural Activities
 - b. Definition of Agritourism
 - c. Incorporate backyard poultry into new section
 - d. Add definition of Commercial Livestock/Poultry Operation
 - e. Added definition of farm
 - f. Added definition of Livestock
 - g. Added definitions of Noncommercial keeping of chickens, ducks and livestock and added to CR district
 - h. Added definition of poultry
 - i. Added definition of riding stable and added its use in CR district
 - j. Added new Agricultural Activities Section to supplemental regulations
 - k. Added riding stable section to supplemental regulations
2. Modified definition of Continuing Care Facility to clearly include both assisted and independent living
 - a. Modified Personal support services to clearly include recreation facilities
3. Modified Convenience store definitions to be more descriptive and also to include reference to EV charging stations so that it's clear they can be included in a convenience store project.
4. Added definitions for Electric Vehicle and Electric Vehicle Charging Station. The definition for EV Charging Station has been decoupled from parking space, so that EVCS's can be placed as desired and will not count towards parking minimums or maximums.
5. Clarified that office/business park was a non-retail use
6. Added definition for Presque Isle Corridor

District Regulations. This was the section with the most impactful change – the merging of the Mixed Use 2 and Mixed Use 3 districts into a new Mixed Use 2. This change combined all the uses of the previous two districts. We also made the following other changes to zoning districts.

1. With the combination of the two mixed use districts, MU3 had been eliminated as a district
2. C2 - added Shopping Center, Neighborhood to make it clear that any shopping center was permitted here, regardless of footprint area.
3. C3 - added Manufactured Home Sales

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4. MU1 - added Medical Marijuana Dispensary and Multiple Establishment Center
5. MU2 - added retail as a use; added Medical Marijuana Dispensary; added Office/Business Park and added Retail Business Establishment
6. Presque Isle Gateway District - eliminated animal daycare; added Medical Marijuana Dispensary
 - a. The previously mentioned "Presque Isle Corridor" consists of properties along West 8th from Sommerheim to Peninsula Drive and along Peninsula Drive from West 6th Street south for 300' beyond West 8th.
 - i. Changed build to a minimum set back throughout the PI District, except for properties in Presque Isle Corridor. There was a build to line of 10 feet but could be moved back to a 20' build to line if the additional area is dedicated as an easement.
 - ii. Fixed an issue where language was not changed regarding the 10' build to line applying to the entire district. It now only applied to the PI Corridor.
7. Light Industrial - added Manufactured Home Sales
8. Heavy Industrial - added Manufactured Home Sales

General, Supplemental, Sign and Parking Regulations, the following changes were made:

1. Made modifications to Exterior Lighting regulations in response to comments received.
2. Added agricultural uses supplemental reg.
3. Made changes to Convenience store window placement and design to be consistent with PA Flammable Liquids Act.
4. Limited lodging - eliminated upper time limit for long term limited lodging; added maximum limit to two persons per bedroom; and added smoke alarm requirement
5. Vehicle Fuel Station - modified setback to simply be 50 feet from ROW and property line to the fuel dispensers and allowed EV charging stations
6. Modified outdoor advertising sign section to clarify language, especially around billboards that contain electronic messaging centers.
7. Revised parking for targeted corridors to remove the limits to parking in front of the structure and moved to an incentive system to encourage more parking behind buildings.

Map Changes – The following changes were incorporated into the map.

1. The incorporation of MU2 and MU3 into a combined MU2 Corridor Commercial District. The inclusion of the Presque Isle Corridor overlay.
2. Two map changes were made. Scott Park, Tracy School, and the residences fronting West 6th Street were removed from the PI Gateway District and placed in the R1 Single Family Residential District. Some properties fronting Peninsula Drive that were previously in the PI Gateway District were now in the MU2 District.
3. An area off Zimmerly Road, near Old Zuck Road that was previously in a mixed-use district but has been changed to R1 Single Family Residential.
4. Lastly, the area near the intersection of Edinboro and Interchange Roads has been changed from mixed-use to C2 Regional Commercial.

Public Comment

Fr. John Detisch, 2801 West 6th St, stated he was concern with the Sixth Street area because of St. Jude Parish and the school since there was no mention of religious institution or education facility in the ordinance. He questioned if they needed to expand, would they be able to or have restrictions because of the ordinance. He commended the individuals who created the ordinance.

Mr. Waldinger informed Fr. Detisch that the Presque Isle Gateway District without religious institutions as a use, they would be an existing non-conforming use and would be allowed to remain. Also, under the new code, they would be allowed to expand up to 25% and if more was needed, a variance could be applied for.

Greg Baldwin, 2540 Village Common Dr, gave the members a copy of the letter sent to the Millcreek Township Supervisors, Atty. Mark Shaw, and Matt Waldinger concerning some changes he would like to see/change in the ordinance. He felt that there were limitations and prohibitions for the developers within the Presque Isle District and the Presque Isle Corridor. He loved the concept of improving the streets, adding landscaping, making the area beautiful, adding sidewalks, and making the area more attractive. He did not like the idea of the 10' build to line in the Presque Isle area.

Robert Sesler stated that he had concerns with the setbacks. He felt the Township needed to work more with the private sector and developers. He agreed with the points that Mr. Baldwin expressed.

Chip Riehl, 2580 West 8th St., stated that he agreed with Mr. Baldwin, specifically with the 10' build to line. He did not feel the 10' build to line with all the buildings in a row lined up with the sidewalk would work especially in the winter with snow plowing. He was in favor of removing the utility poles and beautifying the area where it would be more attractive to the community.

Mr. Kubeja was not in favor of having the 10' build to line and thought it would hinder businesses. He felt that beautification should come first before the zoning was updated.

After discussion, it was moved by Mr. Prozan seconded by Mr. Kubeja and carried 4-3 (Mr. Skellie, Mr. Sitter & Mrs. McCabe dissenting) to recommend 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 to the Board of Supervisors with the elimination of the Presque Isle Corridor.

There being no further business to come before the Commission, the meeting was adjourned on motion by Mr. Stewart, seconded by Mr. Sitter, and carried unanimously at 7:08 PM.

Pete Kubeja ~ Secretary

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