

**WARREN CITY PLANNING
COMMISSION
REGULAR MEETING
MAY 15, 2019**



The regular meeting of the Planning Commission was held on May 15, 2019, in the Conference Room of the Municipal Building at 7:30 AM.

ROLL CALL

Chairman Don Nelson called the meeting to order. Members present were: Charles Conaway, Angie Dart, Don Nelson, Ray Pring, Pat Scutella and Randy Rossey. Alex Shreffler was absent. Also present were David Hildebrand, Planner/Development Administrator; Terry Williams, Director of Codes; and Jessica Byler, Administrative Assistant.

CORRESPONDENCE

There was no correspondence to come before the Commission.

VISITORS

None

APPROVAL OF MINUTES

Upon motion by Mr. Rossey and second by Mr. Scutella, the minutes of the April 10, 2019, regular meeting were unanimously approved by all members present.

BUSINESS:

Zoning Ordinance Amendment – First Floor Residential Apartments in downtown Commercial Space

Mr. Hildebrand explained that currently the downtown C1 district allows for living space in the basement, second or third levels but not on street level. In research with other communities, most other communities shy away from first floor residential living space. If this is something that we want to consider, it could be done through a special exception. Section 470-26 of the Zoning Ordinance currently includes five Special Exceptions for the C-1 Commercial district and residential, street level could be added as the sixth exception. A special exception process would include application, fee and review by the Zoning Hearing Board. Mr. Nelson indicated that the Zoning Hearing Board has standards for exceptions as outlined in Section 470-77 of the materials provided.

Mr. Scutella questioned if the exceptions could come before the Commission prior to being brought to the Zoning Hearing Board. Mr. Hildebrand indicated that the Zoning Hearing Board is its own entity with their own bylaws with a very tight structure and the Commission could make suggestions but no formal recommendations. Additionally, there are several restrictions on timing when items are brought before the Zoning Hearing Board including, advertising, public hearings and posting of the property. Mr. Nelson suggested approval of the special exception language with the understanding that between the first and second public hearing that the Planning Commission would like to be involved in the process but to have that reviewed by the attorneys to make sure that is legally allowed.

Upon motion by Mr. Scutella and second by Mr. Conaway, the Zoning Ordinance Amendment to add a sixth exception for Residential, Street Level use in commercial properties under Section 470-26 Central Commercial C-1 with advisory involvement of Planning Commission between the two hearings upon approval by Solicitor is approved to be forwarded to City Council.

LERTA Tax Abatement – Commercial and Residential

Mr. Hildebrand indicated that the currently LERTA (Local Economic Revitalization Tax Assistance District) is a program that allows for tax abatement from City, School and County taxes for a three-year period on new construction, renovations or additions to a current structure. LERTA has been in place in the City since 1988 and is well utilized, however, currently approved for Commercial use only. Ms. Williams presented the idea that would increase the LERTA program in the City to encompass the entire City, which would include Residential and an expansion to Commercial as well as increase the timeframe from three to five years. The hope is to spur new construction and development on empty lots, which is being created by removal of blighted properties. The application process for LERTA will simply be included with building permit application.

Blighted Certification

3 Hinkle Street

Ms. Williams indicated that the owner of this property resides in Florida, there has been no recent record of sewer or other utilities and the lawn is often overgrown. The BPRC has considered the property as blighted and there are currently no plans for the property.

Upon motion by Mr. Rossey and second by Mr. Scutella, 3 Hinkle Street is certified as Blighted and will be forwarded to the RDA.

705 W Fifth Avenue

Ms. Williams indicated that this property has been with the BPRC for a while because there was a plan brought forward by a potential buyer, however, that sale has fallen through. This property is currently on the listing for Judicial sale in May. Mr. Pring indicated that a lot of work has been done inside.

Upon motion by Mr. Scutella and second by Ms. Dart, 705 W Fifth Avenue is certified as Blighted and will be forwarded to the RDA.

Election of Officers

Mr. Nelson explained that there has been a change in the members of the Commission. Ms. Gray is now with the RDA and Mr. Rossey has moved from the RDA to Planning Commission. Ms. Gray was the Vice Chair of the Planning Commission; therefore, a new Vice Chair needs to be appointed. Ms. Dart volunteered.

Upon motion by Mr. Pring and second by Mr. Conaway, Ms. Dart will now serve as the Vice Chairman of the Planning Commission.

Action Items

Discuss Planning Commission involvement with first floor residential in commercial spaces special exception.

ADJOURNMENT

There being no further business to come before the Commission, the meeting was adjourned.