

Jeannette Planning Commission | Meeting Minutes

Meeting Date August 12 ,2020



Attendance:

- Bill Pacelli, Chairman: present
- Alec Italiano, Co-Chairman: absent with cause
- Joe Carle: present
- Don Deguffroy: Present
- Laura Smith: present
- Judy Soles: absent with cause
- Jackie Sobel: present
- **City Representatives**
- Chuck Highlands City Council
- Nathan Bish City of Jeannette City Clerk
- Benjamin Walker City of Jeannette Administrative Assistant to the City Clerk
- **Guest**
- Mr. Bill Fontana Director of Strategic Initiatives Pa. Downtown Center

Call to Order: 5:30 pm

Review and Approval of last meeting minutes, July 8th, 2020.

No comments on minutes. A motion was made by Joe Carle and seconded by Laura Smith to accept the meeting minutes for July 8, 2020 as presented

Old Business:

- a. K2's response to request on what plans the PC should be reviewing and recommending to Council. Elliott Testing Facility is progressing. All drawings are being approved by K2 Engineering
- b. Laura Smith contacted Mr. Bill Fontana to provide an update.

Mr. Fontana gave the Planning Commission an update with respect to the City of Jeannette and the steps that are needed. Mr. Fontana had presented a series of Work Sessions in 2018 about bringing the Pa Downtown Center's Main Street Program to the city. Prior to the meeting he met with Laura Smith, Nathan Bish and Benjamin Walker to restart the project and get moving forward. Mr. Fontana suggested reviewing the Pa. Downtown Center website at <https://padowntown.org/>. He outlined what steps need to be undertaken to get Jeannette accepted into the Main Street Program. As a start the city will need to apply. Jeannette has to be able to have funding available to hire a Main Street Manager and maintain the position for 5 years. The latter years would be paid based on the first 2 years work and fund raising. Many local cities are actively participating in the program. Many have had

good results. There is a National Main Street Program. Funding of \$100 Million is included in the Covid Stimulus package being reviewed by Congress.

- c. Review of approvals for the advertisements on the buildings in town. Nathan Bish has contacted K2 Engineering to find out if the proper permits had been properly applied for prior to the signs being erected. No answers received as of yet.
- d. Update on the amphitheater marketing. The gutters have been installed on the Amplitheater. Ownership has not been taken over by the City at this time. Due to the current restrictions with gatherings it could not be used. The Jeannette Community Band has requested the honor of the opening concert.

New Business:

- a. Zoning Modification Request Sobel's Obscure Brewery
 - i. Warehouse space at 108 S 4th St. Rezone to allow use as a warehouse. A motion was made by Joe Carle and seconded by Laura Smith to recommend the Zoning Modification to Jeannette City Council for approval and public hearing
 - ii. Gillespie Building: Rezone to allow for brewing of beer, retail sales of alcohol. A motion was made by Laura Smith and seconded by Joe Carle to recommend the Zoning Modification to Jeannette City Council for approval and public hearing

See the attached opinion on the requested zoning changes

- b. Discussion regarding our participation with the Redevelopment Authority, Bill Pacelli, Laura Smith and Chuck Highlands were in attendance. A good discussion was held. The RA needs to align the Zoning map with what parcel they are marketing.

Public Comment: None

Adjournment: 7:15pm

City of Jeannette Planning Commission



Mr. Nathan Bish
City of Jeannette
200 South Second Street
Jeannette, Pa. 15644

Dear Mr. Bish

Please note the following as discussed and voted on during the Planning Commission Meeting on August 12, 2020.

Zoning Modification Request Sobel's Obscure Brewery

1. Warehouse space at 108 S 4th St. Rezone to allow use as a warehouse.
 - The current zoning map has the property zoned as Downtown District. The Downtown District does not have warehousing and distribution either limited or general as a permitted use. Sobel's Obscure Brewery is currently leasing the space and using it as a warehouse and pop up bar.
 - Definitions are as follows:
 - [Warehousing and Distribution, General](#). Open-air storage, distribution, or handling of materials or equipment. This use includes monument or stone yards, grain elevators, and open storage yards.
 - [Warehousing and Distribution, Limited](#). The provision of wholesaling, storage, or warehousing services within an enclosed structure.
 - The property has been used as a warehouse as long as anyone on the commission could remember. The prior owner had used the property as a warehouse.
 - It was explained the previous zoning officer had advised Ms. Sobel that using this space as a warehouse would not violate the zoning ordinance.
 - The current owner had applied for an occupancy permit and paid for the required inspection. The Zoning Officer required upgrades be made prior to issuing the occupancy permit. These upgrades were partially completed but the final inspection was not completed.

The Planning Commission Voted 4-0 (1 Abstaining, 2 Absent with cause) to approve a rezoning change to warehousing and distribution limited or the warehouse is grandfathered in since the property had always been used as a warehouse.

2. Gillespie Building: Rezone to allow for brewing of beer, retail sales of alcohol.
 - The current zoning map has the property zoned as the Downtown District. The City of Jeannette Zoning Ordinance does not have a definition for a

Brewery. There was a discussion of the actual definition of a brewery. It could be identified as Food Preparation Limited or General, manufacturing Custom or Light.

- Ms. Sobel indicated the space would be used as a brewery, Sales of beer for consumption on site and carryout. Light food and snack would also be served

- Definitions are as follows:
 - **Alcohol Sales:** A use that provides sales of beer and wine for off-site consumption.
 - **Bar/Lounge.** Premises used primarily for sale or dispensing of alcoholic beverages by the drink for on-site consumption, and where food may be available for consumption on the premises as accessory to the principal use.
 - **Food Preparation, General.** Production of prepared food for wholesale distribution.
 - **Food Preparation, Limited.** Production of prepared food for wholesale distribution.
 - Excludes the on-site slaughter of animals and the commercial production of ice.
 - **Food Sales.** The retail sale of food or household products for home consumption.
 - **Manufacturing, Custom.** The on-site production of goods by the use of hand tools, domestic mechanical equipment not exceeding five horsepower, or a single kiln not exceeding 12 kilowatts, and the incidental sale of those goods.
 - **Manufacturing, Light.** Manufacturing, predominantly from previously prepared materials, of finished products or parts, including processing, fabrication, assembly, treatment, and packaging of the products, entirely within an enclosed building. Includes incidental storage, sales, and distribution of the products.
 - **Use, Special Exception.** A permission or approval granted to use land in a zoning district for a purpose other than that generally permitted outright in the district. The
 - permission, or special exception, is granted by the Zoning Hearing Board in accordance with the standards contained in this Ordinance, provided generally that the specific application of the use would not prove injurious to the public interest.

- The Planning Commission discussed classifying the Brewery as Food Preparation, Limited, Which in the Downtown District is a Special Exception. An alternative is to consider the facility as Manufacturing, Custom which is permitted as an accessory in the Downtown District or Manufacturing, Light which is not permitted.

- Procedure for Use by Conditional Use or Special Exception
 - See Article 12: Conditional Uses and Special Exceptions.
 - General Requirements and Standards for All Conditional Uses and Special Exceptions

- The City Council or Zoning Hearing Board, as applicable, shall grant a conditional (C) use or special exception (SE) only if it finds adequate evidence that any proposed development will meet all of the following general requirements, as well as any specific requirements and standards listed in this Article. Any proposed use and location must be:
 - A. In accordance with the Comprehensive Plan and consistent with the spirit, purposes, and intent of this Article.
 - B. In the best interests of the City and the public welfare.
 - C. Suitable for the property in question, and designed, constructed, operated, and maintained so as to be in harmony with and appropriate in appearance to the existing or intended character of the general vicinity.
 - D. Designed to minimize impacts to street traffic and safety by providing adequate access and egress to protect streets from undue congestion and hazard.
 - E. In conformance with all applicable requirements of this Article.
 - F. The City Council or Zoning Hearing Board may attach such other reasonable conditions and safeguards, in addition to those expressed in this Article, as it may deem necessary to implement the purpose of this Ordinance.
- It was explained the previous zoning officer had advised Ms. Sobel that using this building as a Brewery would not violate the zoning ordinance.

The Planning Commission Voted 4-0 (1 Abstaining, 2 Absent with cause) to recommend City Council approve a Special Exception Food Preparation, Limited. Long term the Zoning Ordinance should be amended to provide a definition of a Brewery and determine the zoning permitted uses.

Respectfully Submitted

William G. Pacelli PE
Planning Commission Chairman