
City of Erie

Zoning Hearing Board

Erie, Pennsylvania

AGENDA

The regular meeting of the Zoning Hearing Board will be held Tuesday, September 9, 2025 at 1:00 PM in City Council Chambers, 626 State Street, Erie PA. The meeting is also accessible via Zoom Webinar [instructions below]. Recordings of the ZHB meetings are available on the City of Erie website at: <https://www.youtube.com/@CityofErie/videos>.

1. MEETING CALL TO ORDER
2. ROLL CALL AND DECLARATION OF QUORUM

Member Name	Present	Absent
Jeffrey Johnson, Chair		
Edward Dawson, Vice Chair		
Laura Guncheon		
Selena N. King		
Tom Sebald		

3. APPROVAL OF August 12, 2025 MEETING MINUTES -
4. Voting and announcement of outstanding decisions- None
5. Continued hearings- none
6. Hearing of CASES (APPEALS TO BE HEARD)

Appeal No. 13,325 by Jarrod Groves concerning a property located at 2932 Peach St. [19-6052-107] located in a RLB Residential Limited Business zoning district. The appellant is requesting a Use variance for a proposed 'Tattoo Parlor' business. Per Section [204.5](#), 'Tattoo Parlor' is not a Permitted Use.

Appeal No. 13,326 by Jeremy Peterson located at 127 E 14th St located in an M-2 Heavy Manufacturing zoning district. The appellant is requesting a Use variance for a proposed 'Eating and Drinking Establishment, Personal Services and Professional Services'. Per Section [204.11](#), 'Eating and Drinking Establishment, Personal Services and Professional Services' are not Permitted Uses.

7. Unfinished business- none

8. New business-

Approval of Amendment of Current Zoning Hearing Board Bylaws-

9. ADJOURNMENT

To participate via Zoom, you must pre-register for the Zoom webinar and join from a PC, Mac, iPad, iPhone or Android device. Register for this webinar at –

<https://erie-pa-us.zoom.us/j/82333504031?pwd=IFiFCqapOFNatbZMGyT2NarYIZRZPM.1>

NOTE: Persons with a disability who wish to be heard and require accommodation please contact (814) 870-1111 at least 48 hours in advance so that arrangements can be made.

ZHB meeting agendas and exhibits are available on the City's website at:

[https://ecode360.com/ER3969/documents/Agendas?category=Zoning%20\(Hearing%20Board\)](https://ecode360.com/ER3969/documents/Agendas?category=Zoning%20(Hearing%20Board))

For more information about the Zoning Hearing Board, please visit the City of Erie website at:

<https://cityof.erie.pa.us/government/authorities-boards-and-commissions/#ZHB>

204

Appeal 13325

2932 Peach St

([Google Street View](#))

Proposed Use- Tattoo Parlor

[19060052010700](#)

(click to go to County Assessment Information)

RLB Zoning



**CITY OF ERIE
ZONING HEARING BOARD APPLICATION**

Appeal #: _____ Index #: _____ Hearing Date/Time: _____

Property Information

Property Address: 2932 Peach Street Erie PA 16508
Zoning District: RLB Current Land Use: Mixed Commercial
Has a previous application of appeal been filed? Yes / No Appeal No(s) _____

Owner / Applicant Information

Name of Owner: Jarrod Graves
Owner Address: 3350 West 41
City: Erie State: PA Zip Code: 16506
Telephone: 814 873d 129 Email: gravesrealestate@gmail.com
Name of Applicant (if different from owner): _____
Relationship to Owner: _____
Telephone: _____ Email: _____

Type of Application / Appeal

☒ Variance - Type: ☒ Use ☐ Dimensional
☐ Special Exception Use
☐ Change of Non-Conforming Use
☐ Appeal of Determination of Zoning Officer

Proposed Use or Improvement: Tattoo Parlour under the
business name Ink Therapy Tattoo Studio.

I/We believe that the Board should approve this request because... (Attach a separate narrative as needed - please refer to the quick tip guidance on the following page)

The tattoo parlour will serve as a safe space
for female artists and customers. Building is located among
mostly commercial business and it's limited zoning use is challenging.
I/We hereby certify that all the above statements and the statements contained in any attached plans submitted here within are true to the best of my/our knowledge and belief.

Jarrod Graves

Owner or Applicant Name [please print]

[Signature]

Owner or Applicant Signature

7-23-25

Date

Variance Criteria Worksheet

2932 Peach Street Erie PA 16508

Please provide answers to the following criteria. This form must be submitted with the application. Use additional sheets if necessary. The board may grant a variance, provided that all of the following findings are made where relevant in a given case:

That there are unique physical circumstances or conditions, including irregularity, narrowness, or shallowness of lot size or shape, or exceptional topographical or other physical conditions peculiar to the particular property and that the unnecessary hardship is due to such conditions and not the circumstances or conditions generally created by the provisions of the zoning ordinance in the neighborhood or district in which the property is located.

The location and structure of the proposed storefront makes it challenging to find the best use for the space within the zoning limitations. It is not as suitable as a residential space. The properties to the left and right of the building are commercial storefronts including a salon and a sign shop. Additionally, the space has large commercial windows and is laid out as a commercial storefront with limited space for a full bathroom. The current zoning has limited what local businesses I can work with in order to find the most suitable tenant. Ink Therapy, a tattoo parlor advocating for female tattoo artists, is the most suitable and prepared business for the space offering a personal service which can be allowed under RLB zoning in certain cases. Ink Therapy has been unable to find a location for their business due to limited locations available in Erie with the specific zoning required for tattoo parlors.

That because of such physical circumstances or conditions, there is no possibility that the property can be developed in strict conformity with the provisions of the zoning ordinance and that the authorization of a variance is therefore necessary to enable the reasonable use of the property.

The property is currently listed on the MLS and being marketed, but I have not been able to find suitable tenants to use the space within the limitations. Office space, for example, can be found much cheaper in town than I am able to afford renting this space for and still afford the cost of taxes and needed renovations to improve the appearance of the property. Ink Therapy was the business financially prepared to use the space as well as meet all of the required health codes to conduct their business appropriately.

The variance is necessary for me to lease the property to the business most likely to have longevity and a positive impact in an otherwise vacant storefront.

That such unnecessary hardship has not been created by the appellant.

As the owner of the property, I have made updates to improve the aesthetic appeal of the building so that it will become an attractive storefront for a local business and a positive contribution to the neighborhood. The limited zoning was attached to the property before I owned it. I have spent money and time improving the property with updates like replacing windows, painting the exterior and interior, repairing steps and railings, fixing flood lights for security, building flower beds, and a variety of other efforts made to bring this commercial space back to business on the heavily trafficked area of 29th and Peach.

That the variance, if authorized, will not alter the essential character of the neighborhood or district in which the property is located, nor substantially or permanently impair the appropriate use or development of adjacent property, nor be detrimental to the public welfare.

The neighborhood itself consists of a variety of commercial storefronts offering personal services, car sales, insurance services, and even health spas. Ink Therapy's focus is the advocacy of female tattoo artists and clients who need a comfortable and safe environment for their practice. Ink Therapy intends to make a positive impact on the neighborhood and the community as a whole. There are already 3 tattoo parlors within a one mile radius in buildings zoned C, and not C-2. At least one of them is MIXED RES/COMM.

That the variance, if authorized, will represent the minimum variance that will afford relief and will represent the least modification possible of the regulation in issue.

Minimal to no modification is needed. Similar to the Salon next door, 2932 Peach was once used as a popular Barber Shop. A tattoo parlor will have a similar set up and style of services as a Barber Shop or Salon does. Only modifications made will be continuing to update the aesthetic appeal and making any required updates requested by BIU.

APPLICATION FOR BUILDING PERMIT and/or ZONING CERTIFICATE
City of Erie, Pennsylvania

Fee \$ 300.00



Paid

Property Index No. 6052-107

Appeal No. 13325



Building Change

I, the undersigned, hereby make application to construct a _____ on
my property located at _____



Use Change

I, the undersigned, hereby make application to use my property located at 2932 PEACH ST
for TATTOO PARLOR

ZONING DISTRICT: RLB

No. of Buildings intended: _____

No. of Stories: _____

Extreme Height as planned above curb: _____

Permitted: _____

Front Yard Available: _____

Required: _____

Front Yard Available (Corner lot): _____

Required: _____

Side Yard Available (Combined): _____

Required: _____

Side Yard Available (Least): _____

Required: _____

Rear Yard Available: _____

Required: _____

Lot Area per Family Available: _____

Required: _____

Lot Coverage: _____

Maximum: _____

Off Street Parking Spaces Available: _____

Required: _____

Size of Detached Access. Structure: _____

Maximum: _____

Special Conditions: _____



Conforming



Non-Conforming

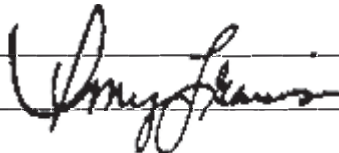
Reasons for refusal: Tattoo Parlor is not a listed Permitted use in an RLB zoning district per Section

204.5 of the City zoning ordinance

The general shape of my lot and location of all existing and proposed buildings are accurately set forth in the plan on the back of this sheet.

Approved ☐

Denied ☒



Owner: _____

Address: _____ Zip _____

Telephone _____ Date _____

Applicant Signature: _____


Relation to Owner: _____

ZONING CERTIFICATE

CITY OF ERIE, PA.

Location.....2932 Peach Street.....

Zoning District.....T-1.....Index No...6052-107.....

Permitted Occupancy.  Retail sale of lamps and minor repair of
.....lamps & small appliances.....

Owner.....Geo. E. Schneider.....

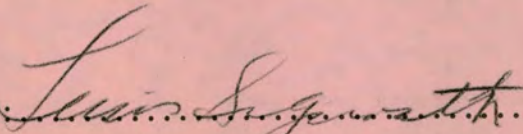
Address.....Same.....

Lessee.....

Address.....

.....SEP 12 1968.....

APPROVED:



Zoning Officer

Appeal 13326

127 East 14th St

[Google Street View](#)

Proposed Use- Mixed Use including Eating and Drinking, Professional Services
and Personal Services (Existing Use-Mixed Retail and Parking Garage)

[15020014020100](#)

(click to go to County Assessment Information)

M2 Zoning



**CITY OF ERIE
ZONING HEARING BOARD APPLICATION**

Appeal #:	Index #: 15020014020100	Hearing Date/Time: September 9, 2025 / 1pm
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Property Information

Property Address: 127 East 14th Street, Erie Pa 16503

Zoning District: M-2 Current Land Use: Mixed Use Retail Storefront Parking Garage

Has a previous application of appeal been filed? Yes / No Appeal No(s) 12150

Owner / Applicant Information

Name of Owner: ERIE METROPOLITAN TRANSIT AUTHORITY

Owner Address: 127 East 14th Street

City: Erie State: Pa Zip Code: 16503

Telephone: 814-452-2801 Email: JPeterson@ride-the-e.com

Name of Applicant (if different from owner): EMTA On Behalf of Odis 12

Relationship to Owner: _____

Telephone: _____ Email: _____

Type of Application / Appeal

☒ Variance – Type: ☒ Use _____ Dimensional

_____ Special Exception Use

_____ Change of Non-Conforming Use

_____ Appeal of Determination of Zoning Officer

Proposed Use or Improvement: Applicant requests a use variance to allow for Eating & drinking establishments, Professional services, and Personal services


I/We believe that the Board should approve this request because... (Attach a Justification Narrative and/or Variance Criteria Worksheet (Exhibit A) – please refer to the quick tip guidance on the following page)

Please see exhibit attachment

I/We hereby certify that all the above statements and the statements contained in any attached plans submitted here within are true to the best of my/our knowledge and belief.

ON BEHALF OF JEREMY PETERSON - JOEL MARZ

Owner or Applicant Name



Owner or Applicant Signature

8-25-25

Date

EXHIBIT A

VARIANCES:

The board shall hear requests for variances where it is alleged that the provisions of the zoning ordinance inflict unnecessary hardship upon the applicant. In granting any variance, the board may attach such reasonable conditions and safeguards as it may deem necessary to implement the purposes of this act and the zoning ordinance. The board may grant a variance, provided that all of the following findings are made where relevant in a given case:

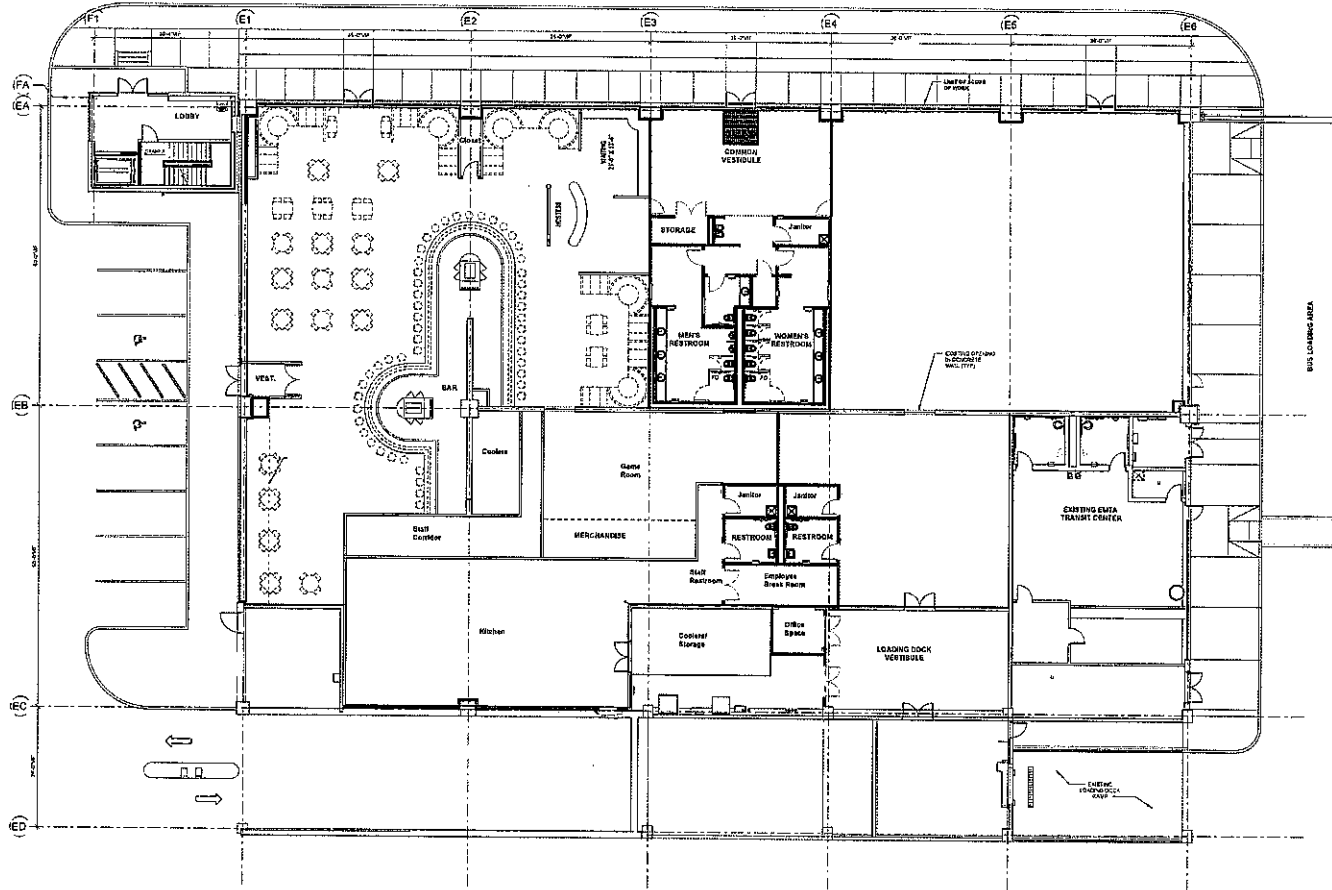
- (1) That there are unique physical circumstances or conditions, including irregularity, narrowness, or shallowness of lot size or shape, or exceptional topographical or other physical conditions peculiar to the particular property and that the unnecessary hardship is due to such conditions and not the circumstances or conditions generally created by the provisions of the zoning ordinance in the neighborhood or district in which the property is located.
- (2) That because of such physical circumstances or conditions, there is no possibility that the property can be developed in strict conformity with the provisions of the zoning ordinance and that the authorization of a variance is therefore necessary to enable the reasonable use of the property.
- (3) That such unnecessary hardship has not been created by the appellant.
- (4) That the variance, if authorized, will not alter the essential character of the neighborhood or district in which the property is located, nor substantially or permanently impair the appropriate use or development of adjacent property, nor be detrimental to the public welfare.
- (5) That the variance, if authorized, will represent the minimum variance that will afford relief and will represent the least modification possible of the regulation in issue.

Use Variance

A use variance requests permission to use property in a manner prohibited by the zoning ordinance (e.g., a commercial garage in a single family residential zone).

An applicant for grant of a use variance must satisfy the criteria for the grant of a variance stated above. In addition, the courts have determined that an applicant for use variance must establish that an unnecessary hardship attends the property that is the subject of the variance by providing evidence that:

1. The physical conditions of the property are such that it cannot be used for a permitted purpose; or
2. The property can be conformed for a permitted use only at a prohibitive expense;
or
3. The property is valueless for any purpose permitted by the zoning ordinance.



Proposed Layout Floor Plan

3/32" = 1'-0"



ROTH MARZ PARTNERSHIP P.C.
3505 Chapin Street
Erie, Pennsylvania 16508
Phone: 814-860-8356
Fax: 814-860-8606
email: info@rothmarz.com

ODIS 12
127 E 14TH STREET
ERIE, PENNSYLVANIA

REVISIONS:
PROPOSED LAYOUT
FLOOR PLAN
PROJECT NO.
DATE 03-14-2005
DRAWING NO.
00
COPYRIGHT 2005

Addendum to Variance Request of Erie Metropolitan Transit Authority

127 E. 14th St., Erie PA 16503 (the “Property”)

Zoning District M-2 “Heavy Manufacturing”

Current Land Use: Use Retail Storefront Parking Garage

Background:

The Erie Zoning Hearing Board is familiar with the Property. On March 14, 2017, EMTA was granted a variance for this property to allow for the development of a “retail food service” facility to be located on the first floor of the new building constructed on the Property. At that time (as now) the Property was situated in an M-2 zoning district, which does not include “retail” as a permitted use or special exception use. Nonetheless, the ZHB unanimously voted in favor of the variance. In its Findings of Fact and Decision, it was clear that the ZHB recognized that the addition of a retail food service establishment was consistent with the changing landscape of the mid-city neighborhood where the Property is located. At that time, member Jacqueline Spry noted the “major changes currently underway for the downtown area.” Then Chairwoman Selena King echoed the sentiments in both indicated the hope that this new development would serve as a “catalyst for similar future developments.”

In December 2019, the ZHB approved a variance request for 1909 Chestnut St., which is located in an M-1 zoning district. At that time, the owners were proposing new uses of “Commercial recreation, Retail, and Eating and Drinking establishment” all of which are not permitted in an M-1 zoning district. The owners were seeking to create a multiuse property for artists, craftsmen, a coffee shop, antique shop vintage furniture store, and an art gallery. Similar to the EMTA case referenced above, the ZHB unanimously voted to approve this variance for a mixed-use. The ZHB members commended the owner’s efforts in vision for the neighborhood where “change is much needed.”

The same rationale that caused the ZHB to unanimously vote in favor of the above referenced variance requests applies to this current variance request. While the proposed retail food service business that was planned for the Property in 2017 did not work out, Odis 12 has stepped up to fill the void. Odis 12 is a well-established and very popular eating and drinking establishment currently located in Millcreek. It has a proven track record of success for over 20 years. Their decision to invest significantly in the mid-city portion of downtown Erie is entirely consistent with the revitalization that has been occurring there over the last two decades.

The designation of this area as M-2 is, frankly, a relic of the past. There is not, and has not been, any manufacturing (let alone “heavy manufacturing”) within at least a thousand foot radius of the Property for over two decades. Instead, this area has gradually transformed into a multi-use neighborhood that many people and business now call home.

This started with the redevelopment of the large vacant and dilapidated Lovell building in the late 1990s. The 147 market rate apartments at “Lovell Place” are now filled with approximately 200 residents, many of them by young adults who frequent the eating establishments located within easy walking distance. It also houses approximately 200,000 square feet of office space that are 95% occupied.

After Lovell Place, additional new housing options were established at the Mercantile Building just across French Street from the Property, the Union Square Town Homes at 13th and Peach in the loft apartments recently redeveloped at 1213 State Street.

In addition to all this new housing over the last two decades, a number of eating establishments and cultural attractions have been established, such as Calamari’s, Junior’s Comedy Club (now Kellar’s Magic & Comedy club), and PACA to name a few. During this time, not a single manufacturing business has attempted to operate in this area.

In the words of the ZHB from 2017, the addition of an “eating and drinking establishment” like Odis 12 will serve as a “catalyst for similar future developments” by other businesses to relocate or add a location in this vital area of downtown Erie. In addition, the granting of this variance will allow for EMTA to fill the remainder of the first floor space at the Property with Professional Services and Personal Services that will enhance and further the revitalization of this area.

Variance Criteria

1. Unnecessary Hardship

There are unique physical and situational conditions of this Property that create an unnecessary hardship under the M-2 zoning requirements. The building was purpose-built as a mixed-use structure with ground-floor retail frontage and an integrated public parking facility, features that are inherently incompatible with heavy manufacturing. The lot size, urban location, and absence of industrial infrastructure (such as loading docks, buffer yards, or freight access) render it impossible to adapt the Property to traditional M-2 uses.

2. These limitations are not of EMTA’s making. They arise from the surrounding neighborhood’s two-decade transformation into a mixed-residential, cultural, and

commercial neighborhood. By the time EMTA constructed the current building, heavy manufacturing was no longer viable in this location. The conditions that prevent permitted M-2 uses here stem from broader neighborhood redevelopment and zoning that has not kept pace with reality. The hardship would exist for any owner of this building, as no feasible heavy manufacturing use could be carried out here without prohibitive expense, fundamental reconstruction and overcoming the dissent that would no doubt be voiced by the many residents in very close proximity.

Thus, the Property cannot reasonably be used for any permitted purpose under M-2 zoning. The requested variance is necessary to enable a reasonable use consistent with both the Property's physical character and the neighborhood's development pattern.

3. Essential Character of the Neighborhood

The proposed uses will not alter the essential character of the neighborhood or impair adjacent property. To the contrary, they are directly in line with the established character of the district, which has evolved into a vibrant mixed-use neighborhood featuring residential apartments, offices, restaurants, and cultural venues. Approving this variance will strengthen and stabilize adjacent properties by providing an anchor business (Odis 12) and complementary professional and personal services, all of which serve the daily needs of nearby residents and employees. This represents a continuation, not a disruption, of the neighborhood's essential character.

4. Public Welfare

The proposed use will not be detrimental to the public welfare. In fact, it is likely less detrimental than certain special exception uses already permitted in the M-2 district, such as after-hours clubs, bottle clubs, and dance clubs, which can bring late-night disturbances. By contrast, an eating and drinking establishment and personal/professional services will provide safe, family-friendly, and economically beneficial activity. The variance supports the public interest by drawing investment, creating jobs, and expanding amenities for downtown Erie's growing residential and business population.

5. Minimum Variance Necessary

This request represents the minimum variance needed to afford relief and enable the reasonable use of the Property. The building has already been constructed, and EMTA seeks no changes to its size, floorplan, or intensity of use. The requested variance is narrowly tailored to three additional uses: eating and drinking establishments, professional services, and personal services. Each of these are compatible with the surrounding district. EMTA is not seeking to import the full range of commercial zoning uses, but only those essential to activate and fill the existing space in a manner that complements neighborhood revitalization.

For all the foregoing reasons, EMTA respectfully request that the ZHB grant its use variance to allow for Eating & Drinking establishments, Professional services and Personal services.

APPLICATION FOR BUILDING PERMIT and/or ZONING CERTIFICATE
City of Erie, Pennsylvania

Fee \$ 300.00

☒ Paid

Property Index No. 2014-201

Appeal No. 13326

☐ Building Change I, the undersigned, hereby make application to construct a _____ on
my property located at _____

☒ Use Change I, the undersigned, hereby make application to use my property located at 127 E 14th St
for Mixed Use - Eating and Drinking Estab., Personal and Professional Services

ZONING DISTRICT: M-2 No. of Buildings intended: _____ No. of Stories: _____

Extreme Height as planned above curb: _____ Permitted: _____

Front Yard Available: _____ Required: _____

Front Yard Available (Corner lot): _____ Required: _____

Side Yard Available (Combined): _____ Required: _____

Side Yard Available (Least): _____ Required: _____

Rear Yard Available: _____ Required: _____

Lot Area per Family Available: _____ Required: _____

Lot Coverage: _____ Maximum: _____

Off Street Parking Spaces Available: _____ Required: _____

Size of Detached Access. Structure: _____ Maximum: _____

Special Conditions: _____

☐ Conforming ☒ Non-Conforming

Reasons for refusal: Eating and Drinking Establishment, Personal and Professional Services are not
listed Permitted uses in an M-2 zoning district per Section 204.11 of the City zoning ordinance

The general shape of my lot and location of all existing and proposed buildings are accurately set forth in the plan on the back of this sheet.

Approved ☐ _____

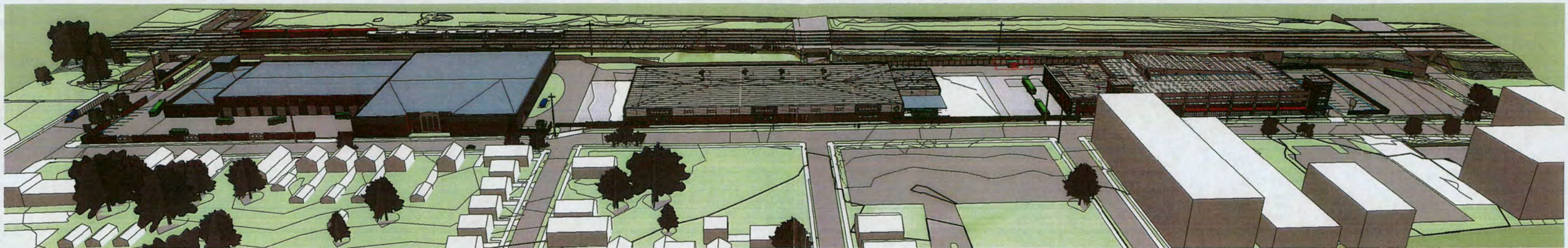
Denied ☒ _____

Owner: _____

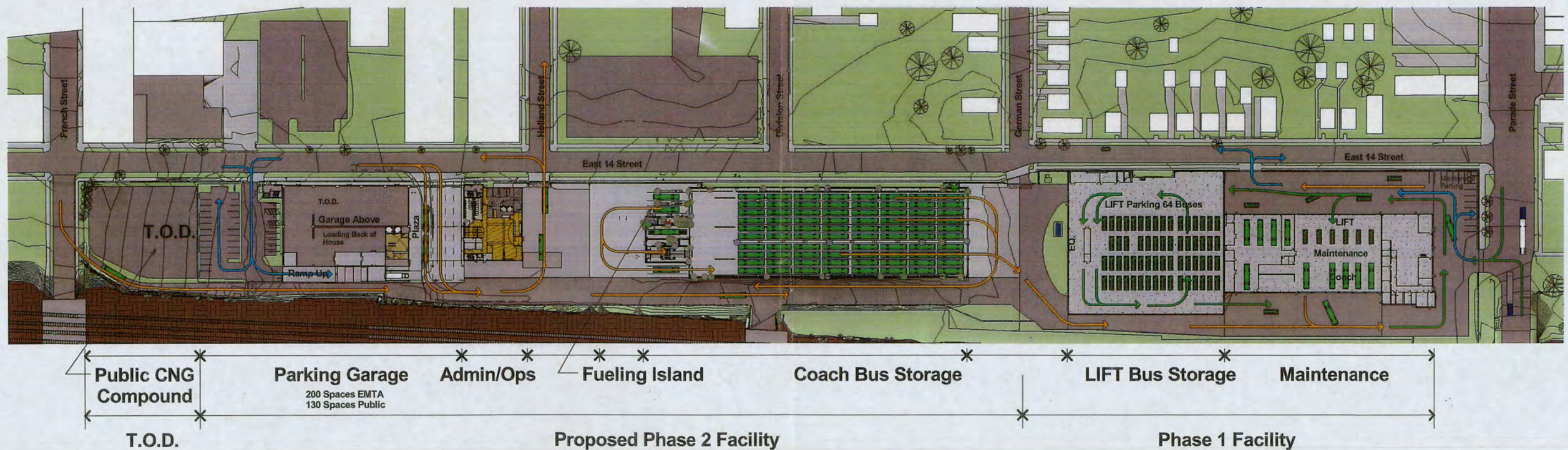
Address: _____ Zip _____

Telephone _____ Date _____

Applicant Signature: _____ Relation to Owner: _____



2 AERIAL VIEW FROM NORTH



1 SITE PLAN CIRCULATION
1" = 80'-0"

Traffic Legend

- Public Pedestrians
- EMTA Pedestrians

Traffic Pattern
1/32" = 1'-0"

CDM
Smith



Erie Metropolitan Transit Authority
Joint Operations Facility Project
SITE PLAN





201
20,000



VIEW OF FACILITY FROM 14TH STREET



VIEW FROM 14TH STREET OF PARKING GARAGE



VIEW FROM 14TH STREET OF ADMINISTRATION BUILDING

BUS STORAGE, ADMINISTRATION BUILDING AND PARKING STRUCTURE
EXTERIOR ELEVATION IMAGES

APPLICATION FOR BUILDING PERMIT and/or ZONING CERTIFICATE
City of Erie, Pennsylvania

Fee \$ 300.00

☒ Paid

Property Index No. 2009-202

Appeal No. 12150

☒ Building Change I, the undersigned, hereby make application to construct a _____ on
my property located at _____

☒ Use Change I, the undersigned, hereby make application to use my property located at 127 E 14TH ST
for MERCANTILE (RETAIL BUSINESS)

ZONING DISTRICT: M-2 No. of Buildings intended: _____ No. of Stories: _____

Extreme Height as planned above curb: _____ Permitted: _____

Front Yard Available: _____ Required: _____

Front Yard Available (Corner lot): _____ Required: _____

Side Yard Available (Combined): _____ Required: _____

Side Yard Available (Least): _____ Required: _____

Rear Yard Available: _____ Required: _____

Lot Area per Family Available: _____ Required: _____

Lot Coverage: _____ Maximum: _____

Off Street Parking Spaces Available: _____ Required: _____

Size of Detached Access. Structure: _____ Maximum: _____

☐ Conforming ☒ Non-Conforming

Special Conditions: _____

The general shape of my lot and location of all existing and proposed buildings are accurately set forth in the plan on the back of this sheet.

Approved _____

Owner: ERIE METROPOLITAN TRANSIT AUTH

Denied _____

Address: 127 E 14TH ST Zip 16503

Telephone _____ Date _____ 20 _____

Applicant Signature: Ans m...

Relation to Owner: EMPLOYEE

Reasons for refusal: PER SECTION 204.20 OF CITY OF ERIE ZONING

ORDINANCE, MERCANTILE IS NOT PERMITTED IN M-2
ZONING DISTRICT. (RETAIL BUSINESS)

APPEAL FOR HEARING TO THE ZONING HEARING BOARD:

I, the undersigned owner, hereby make application for a hearing in regard to the building as per the plan and data herein shown, which does not comply with Zoning Ordinance No. 80-2005 and amendments hereto.

Appeal heard March 14 20 17

Approved March 14 20 17

Denied _____ 20 _____

Owner's Signature _____

Signed Jaqueline Spry

[Signature]

[Signature]

[Signature]

[Signature]

-SEE ATTACHED DECISION-

CITY OF ERIE
ZONING HEARING BOARD APPLICATION

Appeal No. 12,150

Index No. Z009-202

Hearing Date/Time 3-14-17 / 1:30 PM

Property Owner(s) ERIE METROPOLITAN TRANSIT AUTH.

Type of Appeal:

Special Exception

☒ Variance: Type

USE

— Issuance/Denial of a Permit

— Nonconforming use change

— Other

Mailing Address:

127 E 14TH ST
ERIE, PA 16503

The above property owner(s)/appellant(s)
request that a determination be made by
the Board for the following address:

127 E 14TH ST
ERIE PA 16503

Property Information

Zoning District M-Z

Lot Size/Area 2.87 AC

Current Use

TRUCK
(BUS) TERMINAL / SERVICES
GARAGE & CORPORATE OFFICES

Proposed Use or Improvement

MERCANTILE (RETAIL BUSINESS)

I/We believe that the Board should approve this request because...

(Include reasons both with respect to zoning law and/or what specific hardships are claimed.)

This project represents a significant neighborhood improvement
structurally and includes amenities that will improve the
quality of life for the neighborhood and the entire inner city
by providing access to whole foods & fresh produce.

Has a previous application of appeal been filed? Yes/No

Appeal No(s)

Zoning Ordinance Section(s) applicable to the appeal

PER SECTION 204.20 OF THE CITY OF ERIE
ZONING ORDINANCE, MERCANTILE (RETAIL BUSINESS)
PERMITTED IN M-Z ZONING DISTRICT

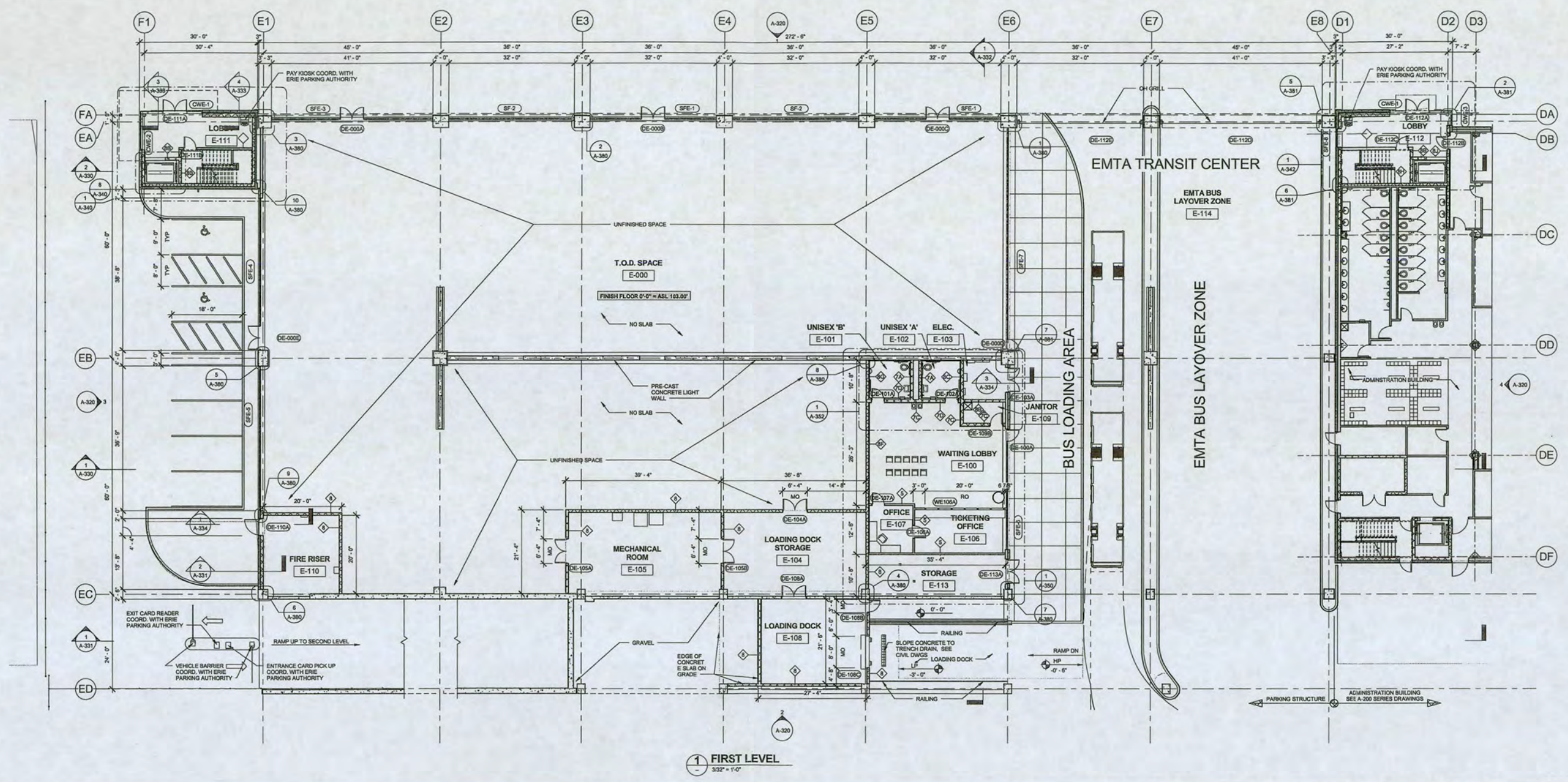
I/We hereby certify that all the above statements and the statements contained in any paper of plans submitted here within are true to the best of my/our knowledge and belief.

Owner or Agent Signature

Date

2/22/17

THIS CDM SMITH ALL RIGHTS RESERVED. NO PART OF THIS DRAWING IS TO BE REPRODUCED OR TRANSMITTED IN ANY FORM OR BY ANY MEANS, ELECTRONIC OR MECHANICAL, WITHOUT THE WRITTEN PERMISSION OF CDM SMITH.



DESIGNED BY: M. PAPPAS
DRAWN BY: A. SCHAAF
SHEET CHECKED BY: K. WILLIAMS
CROSS CHECKED BY: T. KING
APPROVED BY: T. KING
DATE: 07/18/16

CDM Smith
303 Marquette Street, Suite 500
Pittsburgh, PA 15213-0722
Tel: (412) 201-5800

ERIE METROPOLITAN TRANSIT AUTHORITY
TRANSIT OPERATIONS FACILITY PHASE II

PARKING STRUCTURE FIRST LEVEL PLAN

CDM Architects Inc.
303 Marquette Street
Suite 500
Pittsburgh, Pennsylvania 15212
PROJECT NO. 111119-81700
FILE NAME:
A-310



The City of Erie, Pennsylvania

Joseph E. Sinnott, Mayor

March 30, 2017

Erie Metropolitan Transit Authority
127 East 14th Street
Erie, PA 16503

To Whom It May Concern:

This is to advise you that the following decision was adopted by the Zoning Hearing Board on Tuesday, March 14, 2017 regarding property located at 127 East 14th Street:

Appeal No. 12,150 by the Erie Metropolitan Transit Authority (2009-202)

Findings of Fact

1. The appellants were represented at the hearing by Mr. Mike Tann, executive director of the Erie Metropolitan Transit Authority. Mr. Tann told the Board that the proposed new building project represents Phase II of the redevelopment project begun in 2015. He added that the proposal represents a significant neighborhood improvement; including amenities that will improve the quality of life for the entire inner-city area, including providing access to whole foods and fresh produce at the new food market.
2. Mr. Tann provided a packet of information for the Board to review, including letters of support from community leaders, several aerial and street level view images, and a detailed site plan drawing of the proposed new development. With the overall goal of servicing the entire community, Mr. Tann said that the E.M.T.A. is an important part of the Erie Downtown Partnership – an organization including several community-minded groups whose express intent is to revitalize the downtown area. The corridor between French and Parade Streets, anchored by the new E.M.T.A. facility, is an important part of that revitalization goal.
3. The funding for the proposed new facility is being provided in large part by the Pennsylvania Department of Transportation, as well as the Federal Transit Administration (part of the federal Dept. of Transportation). According to Mr. Tann, it is specifically listed in the grants that the appellants received that some type of retail space be provided in the new development. The fresh food produce store would not only meet the requirement of the grants, but also meet an important need for the Erie community.

Bureau of Code Enforcement

Andy Zimmerman, Manager - Code Enforcement
626 State Street, Room 407, Erie, PA 16501-1128
Ph: (814) 870-1475 • Fax: (814) 870-1584



4. Using the images of the proposed new facility, Mr. Tann said that the first floor of the new structure would include the retail food service facility. The second level would be used for public parking, and any use(s) for the upper levels of the new structure are not yet determined. The food store would allow walking access to Lovell Place residents as well as other residents of the downtown neighborhood; and the new facility would also provide what Mr. Tann referred to as a "destination", with easy access to the food store for anyone who uses public transportation.
5. While expressing that they are not in direct competition with other independent retailers in Erie, the appellants believe that the new proposed development has two advantages over other potential retail sites: first, it is a new facility, and can cater to the specific needs of today's consumer, and secondly, it can offer a central location to various businesses that can benefit the people who will shop there.
6. Also speaking in support of the proposal was Mr. Scott Henry, former director of the Erie Redevelopment Authority. Mr. Henry reiterated that the Erie Downtown Partnership is committed to seeing the "Union Square" district of downtown Erie become a fully developed area. The idea of a wholesale and retail fresh food store is a good idea, he said, in that it includes retail products to local residents as well as wholesale service to nearby restaurants and other establishments.
7. Several other community leaders also spoke in support of the proposed development. Ms. Emily Fetcko, the assistant director of the Erie Downtown Partnership, told the Board that her organization recently conducted a survey that showed that a "community hub", like the proposed E.M.T.A./retail development, would be beneficial to the City. The proposed food store, Ms. Fetcko said, is a good fit in the downtown development effort, and added that it would not hurt those businesses currently operating in the area.
8. Mr. Matthew Good, director of business operations for H.A.N.D.S., who has placed at least thirty nearby residents, commends the E.M.T.A. for reaching out to community groups like his to determine what needs those local residents have. Similarly Mr. Chuck Peters, managing partner of Altair Real Estate Services, an organization that represents commercial real estate developments in the area, indicated that Altair's members have voiced a need for such a retail outlet facility, like the one proposed by the appellants.

NOTE: Erie Zoning Official Matthew Puz confirmed that the retail outlet is the only violation of the proposal; if the plan was only for the administration building and parking structure it would not require the requested variance.

Conclusions

1. The appellants, the Erie Metropolitan Transit Authority, are proposing a new administration building that would also include a parking structure and retail outlet facility. The proposal represents Phase II of the redevelopment project that the appellants began in 2015.
2. The proposed retail shop would be a food store, both retail and wholesale, that would provide fresh food and produce to the community. It is designed so as to be accessible to downtown residents who can walk to the facility, as well as those who regularly use public transportation.
3. According to Section 204.20 of the Erie City Zoning Ordinance, retail businesses are not permitted in the M-2 district. If the proposal was only for the administration building and parking structure it would not require a variance.
4. The proposed development is funded by the state Dept. of Transportation and the Federal Transit Administration; a condition of these grants is that the new development includes retail stores.

Decision

By a unanimous decision the Board approved the variance to allow the appellants to include a retail store in their proposed development project. Board member Mike Hornyak said that he is familiar with the neighborhood, and thinks the food hub is needed and will enhance the area, much like the old Erie Central Market did years ago. Member Jaqueline Spry commented on the well drafted proposal, and said that she recognizes the major changes currently underway for the downtown area. Together with chairwoman Selena King, who indicated that she was part some of these previous development proposals, they both hope that this new development will serve as a catalyst for similar future developments. Along with members Edward Dawson and Jeffrey Johnson, all five members voted to approve the variance request.

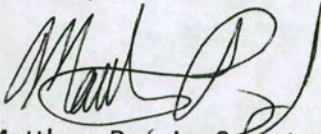
It is So Ordered.

March 14, 2017 Zoning Hearing Board Decision; Appeal 12,150
March 30, 2017
Page 4 of 4

PLEASE NOTE: Section 103 of the City of Erie Zoning Ordinance requires that a Building Permit and/or Zoning Certificate be obtained prior to initiating the approved variance. You MUST first secure a permit at the Municipal Building, 626 State Street, Room 407, between the hours of 8:00 a.m. and 4:00 p.m. If work is started without first obtaining permits, the fee shall be doubled. In addition, Section 402.30 of the Ordinance states that, "All permits and certificates which are granted by the Zoning Officer, or those granted as Special Exceptions, on appeal to the Board or as Conditional Uses shall be exercised promptly. If the use and/or the work so authorized is not initiated within one (1) year from the date of permit or certificate, then such certificate or permit shall be null and void."

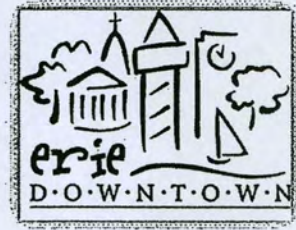
Please contact me at (814) 870-1265 or mpuz@erie.pa.us with any questions.

Sincerely,

A handwritten signature in black ink, appearing to read "Matthew Puż, Jr.", written in a cursive style.

Matthew Puż, Jr., Secretary
ZONING HEARING BOARD

140 E. 5th Street
Erie, PA 16507
www.eriedowntown.com



February 14, 2017

Zoning Hearing Board
City of Erie
626 State Street, Room 407
Erie, PA 16501

Ref: ERIE METROPOLITAN TRANSIT AUTHORITY
Variance Request, West 14th Street

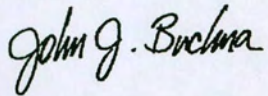
Ladies and Gentlemen –

The Erie Downtown Partnership (EDP) was formed with the express intent to revitalize Erie's downtown area by improving its image, business climate, physical environment, and design. As such, we are writing you to offer our utmost support for the Erie Metropolitan Transit Authority's (EMTA) variance request to permit retail/mercantile uses within a portion of their new transit facility along West 14th Street.

As EMTA is revitalizing this corridor between French and Parade Streets, their vision of creating a true transportation hub within Erie's downtown will be a tremendous asset to the downtown area and offers the City of Erie a unique opportunity to institute transit-oriented development within this site. The Downtown Partnership, together with other interested agencies, has been investigating the potential for development of a 'food hub' marketplace within EMTA's site to alleviate the food desert situation within the City and provide inner-city residents easy access to fresh and healthy food products. This initiative would also serve as an incubator opportunity for local producers and other food-related entrepreneurs to easily reach new market segments on both a retail and wholesale level. While having the potential to also serve as a regional destination, locating this fresh food marketplace where public transportation is abundant is critical to successfully serving those most in need.

While we certainly recognize the importance of manufacturing in Erie's economic past (and future), we firmly believe that a variance to allow retail uses within this particular site would strongly complement the surrounding uses and greatly enhance EMTA's quest to provide the City of Erie with a quality transit-oriented development site. Your positive consideration of this variance request would be most appreciated.

Sincerely,

A handwritten signature in cursive script, reading "John G. Buchna". The signature is written in dark ink and is positioned above the printed name.

Chief Executive Officer

ENTERPRISE DEVELOPMENT CENTER OF ERIE COUNTY

1524 ENTERPRISE ROAD | CORRY, PA 16407 | (814) 664-3884 | FAX (814) 664-3885

February 22, 2017

Zoning Hearing Board
City of Erie
626 State Street, Room 407
Erie, PA 16501

Ref: ERIE METROPOLITAN TRANSIT AUTHORITY
Variance Request, West 14th Street

Ladies and Gentlemen –

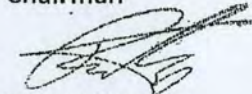
The Enterprise Development Center of Erie County (EDCEC) is committed to working diligently alongside the City to support continued development efforts. As such, we are writing you to offer our utmost support for the Erie Metropolitan Transit Authority's (EMTA) variance request to permit retail/mercantile uses within a portion of their new transit facility along West 14th Street.

As EMTA is revitalizing this corridor between French and Parade Streets, their vision of creating a true transportation hub within Erie's downtown will be a tremendous asset to the downtown area and offers the City of Erie a unique opportunity to institute transit-oriented development within this site. The EDCEC, together with other interested agencies, has been investigating the potential for development of a 'food hub' marketplace within EMTA's site to alleviate the food desert situation as well as provide additional eatery options to the inner-city residents. While having the potential to also serve as a regional destination, locating this fresh food marketplace concept where public transportation is abundant is critical to successfully serving those most in need.

The continued development of EMTA's Transit Oriented Development redevelops this portion of the City and aligns with other planned projects. We firmly believe that a variance to allow retail uses within this particular site would strongly complement the surrounding uses and greatly enhance EMTA's quest to provide the City of Erie with a quality transit-oriented development site. Your positive consideration of this variance request would be most appreciated.

Sincerely,

Chairman



Richard Novotny

CITY OF ERIE

ZONING CERTIFICATE

Location 127 East 14 Street

Zoning District M-2 Index No 2014-302

Permitted Occupancy BUS TERMINAL

Owner EMTA

Address 127 E 14 ^{INDEX} (2009-202)

Lessee _____

Address _____

5-21-96 Date APPROVED: GARY ANTALICK Zoning Officer

By Mr. Winarski Seconded By: _____

COUNCIL CHAMBERS

March 7, 2012

Erie, Pa. _____

Resolved, by the Council of the City of Erie,

Pursuant to the recommendation of the City Planning Commission on the request of the Erie Metropolitan Transit Authority the City Clerk is hereby authorized and directed to advertise for a public hearing relative to the rezoning of property owned by the EMTA between East 14th Street to Parade Street, including the right-of-way portions of German Street and East 15th and Division Street from M-1, C-4, RLB, and C-1, to that of M-2 (Heavy Manufacturing District) to be held on Wednesday April 4, 2012 at 9:30 AM in City Council Chambers, Municipal Building, 626 State Street, Erie, Pennsylvania.

JOURNAL _____

CITY COUNCIL - CITY OF ERIE, PA.

NO. 1

2012	Ayes	Nays
Brennan	1	
Horan-Kunco	1	
Merski	1	
Schember	1	
Winarski	1	
Witherspoon	1	
Jones	1	

Distribution: 1. Clerk-White 2. Finance-Blue 3. Public Works-Green
4. Public Safety-Yellow 5. Economic & C.D.-Pink 6. Mayor/Misc.-Gold

By James Winarski Mr. Winarski Seconded By: James Winarski

COUNCIL CHAMBERS

Erie, Pa.-----November 16, 2011-----

Resolved, by the Council of the City of Erie,

That the communication received from Mr. Dennis G. Solensky Executive Director of the Erie Metropolitan Transit Authority requesting the vacating of certain streets abutting their property, being, German Street between East 14th and East 15th Streets; and also, Division Street between East 14th Street and the CSX Right-of-way, is hereby received and referred to the City Planning Commission for recommendation and report thereon. (Accompanied by the requisite filing fee of \$300.00) See attached maps.

JOURNAL 188

CITY COUNCIL - CITY OF ERIE, PA.

NO. 1

2011	Ayes	Nays
Aleksandrowicz	/	
Cappabianca	/	
Jones	/	
Schember	/	
Schwartz	/	
Winarski	/	
Horan-Kunco	/	

Distribution: 1. Clerk-White 2. Finance-Blue 3. Public Works-Green
4. Public Safety-Yellow 5. Economic & C.D.-Pink 6. Mayor/Misc.-Gold

By James Winarski Mr. Winarski Seconded By: James Winarski

COUNCIL CHAMBERS

Erie, Pa. January 18, 2012

Resolved, by the Council of the City of Erie,

That the communication received from Dennis G. Solensky Executive Director of the Erie Metropolitan Transit Authority on behalf of the EMTA requesting the rezoning of various parcels of property owned by the EMTA between East 14th Street to Parade Street, including right-of-way portions of German Street and East 15th and Division Street, is thereby received, and,

Be It Further Resolved by the Council of the City of Erie that on its own initiative we hereby authorize and direct the City Solicitor to prepare the appropriate rezoning ordinance, rezoning the above described area from M-, C-4, RLB, R-2, C-3 and C-4 to that of M-2 (Heavy Manufacturing district) and after preparation of the rezoning ordinance, forward same to the City Planning Commission for their recommendation and report thereon back to City Council. Accompanied by the requisite filing fee in the amount of \$500.00

JOURNAL

CITY COUNCIL - CITY OF ERIE, PA.

NO. 3

2012	Ayes	Nays
Brennan	/	
Horan-Kunco	/	
Merski	/	
Schember	/	
Winarski	/	
Witherspoon	/	
Jones	/	

Distribution: 1. Clerk-White 2. Finance-Blue 3. Public Works-Green
4. Public Safety-Yellow 5. Economic & C.D.-Pink 6. Mayor/Misc.-Gold